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Nuremberg, 24 June 1948

Paul Joosten

PAUL A. JOOSTEN

General Secretary
International Military
Tribunal

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OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date: 19 July 1948

I certify that Document Number 998-PS was introduced into evidence as Exhibit Number USA-91 in the Trial by the International Tribunal of Hermann GOERING, et al, which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

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GERMAN CRIMES AGAINST CZECHOSLOVAKIA

Czechoslovak Official Report for the prosecution and trial of the German Major War Criminals by the International Military Tribunal established according to the Agreement of the Four Great Powers of August 8th, 1945

INTERNATIONAL MILITARY TRIBUNAL
NUREMBERG, GERMANY
USA Exhibit 91
Filed Dec 3, 1945

London, September, 1945

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GENERAL SUMMARY.

PAGE

A. INTRODUCTION 1

B. PART I. ad para. 1, page 3 of Justice Jackson's letter to Lord Wright of July 5th, 1945 which reads:

"Pre-war infiltration by native and imported fifth columns, subversion, bribery, and subornation of corruption, all for the purpose of opening the door to the defendants influence on local policy and of weakening or destroying resistance to the defendants intended military and political encroachments.

Also, pre-war utilisation of economic devices, some of them frauds per se and others possibly not, for subjecting other nations to the economic domination of the German Reich in pursuance of the criminal plan.". 5

C. PART II. ad para.2, page 3 of the same letter which reads:

"Employment of a policy of entering into treaties and agreements, and giving assurances of friendly intentions, without meaning to observe them and thereafter treacherously violating them in furtherance of the defendants plans of domination and conquest.". 19

D. PART III. ad para.3, page 3 of the same letter which reads:

"Launching wars of aggression, in many instances treacherously and without warning." 27

E. PART IV. ad para. 4,page 3 of the same letter which reads:

"After invasion, a common pattern of terrorisation of conquered populations, mass murders; enslavement, plundering and looting and economic spoliation generally; and the ruthless exploitation by diverse means of the human and economic treasure of the occupied countries." 43

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INTRODUCTION.

In his letter of July 5th, 1945 to Lord Wright, Chairman of the United Nations War Crimes Commission, Mr. Justice Jackson, the United States Chief of Counsel for Prosecution of Axis Criminality, explained the plan for the prosecution of the German Major War Criminals, their principal agents and accessories before an International Military Tribunal.

On page 3 of his letter he described their acts and actions which should be the subject-matter of an indictment against them, as follows:

1. "Pre-war infiltration by native and imported fifth columns, subversion, bribery, and subornation of corruption, all for the purpose of opening the door to the defendants influence on local policy and of weakening or destroying resistance to the defendants' intended military and political encroachments.

   Also, pre-war utilisation of economic devices, some of them frauds per se and others possibly not, for subjecting other nations to the economic domination of the German Reich in pursuance of the criminal plan."

2. "Employment of a policy of entering into treaties and agreements and giving assurances of friendly intentions, without meaning to observe them and thereafter treacherously violating them in furtherance of the defendants' plans of domination and conquest."

3. "Launching wars of aggression, in many instances treacherously and without warning."

4. "After invasion, a common pattern of terrorisation of conquered populations, mass murders; enslavement, plundering and looting and economic spoliation generally; and the ruthless exploitation by diverse means of the human and economic treasure of the occupied countries."

And he pointed out:

"It is here that the members of your Commission and the Governments represented by them can make one more contribution of the first importance towards rectifying the wrongs which they have suffered. What is needed is to have each of these countries document its experiences at the hands of the German aggressor and make that documentation available for use in the preparation of the main case."

"A second important object of search would be for orders or other evidence supporting a direct tracing of responsibility to higher, and perhaps to the highest, authorities."

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The Commission met the wish of Justice Jackson and recommended to the Governments represented to supply such an official report covered by the authority of the respective Government.

By letter of August 18th, 1945 to the Czechoslovak Ambassador in London, the British Foreign Office on behalf of all four Powers, signatories to the Agreement of August 8th, 1945, asked also for such an official document as wished in the letter of Justice Jackson quoted above.

Complying with these demands I already sent on September 15th, 1945 to the four Chief Prosecutors preliminarily Part II and Part III of the Czechoslovak Report referring to paras.2 and 3 of Justice Jackson's letter.

The present document is a complete Report containing four parts:

(a) Part I ad para. 1 page 3 of Justice Jackson's letter quoted above.
(b) Part II. ad para 2 of the letter
(c) Part III. ad para 3 of the letter and
(d) Part IV ad para 4 of the letter.

Furthermore, Part IV contains a short final chapter dealing with the question of personal and criminal responsibility for acts described in the Report.

Finally a set of various official German documents e.g. Acts, Decrees, Orders, Ordinances etc. is annexed to the Report.-

The statements of persons interrogated by me in Germany or in Mondorff in Luxembourg (K.H.Frank, B.Voss, J.v.Ribbentrop, W.Keitel), are in the files of the War Crimes Branch, USFET, at Wiesbaden, to whom I sent them immediately after the interrogations.

My Government reserve the right alternatively to supplement or change one or other paragraph in time, when necessary. The Report does not and cannot cover the whole German criminality against Czechoslovakia.

Thereby I have the honour to submit on behalf of the

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Czechoslovak Government the present document to the four Chief Prosecutors and various other authorities concerned, as an official Czechoslovak Report for the prosecution and for the trial of the German major war criminals according to the Agreement of four Powers of August 8th, 1945.

Colonel Dr. Bohuslav E č e r,
Minister Plenipotentiary,
Czechoslovak Representative on
the United Nations War Crimes
Commission in London.

Nuremberg May 7th. 1946 General Dr Bohuslav Ečer

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C Z E C H O S L O V A K R E P O R T - P A R T I.

(ad para.1, page 3 of the letter of Justice Jackson to Lord Wright of July 5th, 1945)

S U M M A R Y .

(1) Criminal Plan.

(2) The Realisation of the Plan.

(3) Methods in General.

(4) The Chief Instrument: The Sudeten-German Henlein Movement.

(5) The Policy and Tactics of the "Sudetendeutsche Partei".

(6) System and Methods of Nazi Pre-War Infiltration.

(7) Intensified activity of the Henlein Nazis after Munich.

(8) Conclusion.

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Col.Dr.B. Ečer,
Minister Plenipotentiary,
Czechoslovak Representative on the
United Nations War Crimes Commission.

London, September 29th, 1945.

C Z E C H O S L O V A K R E P O R T - PART I.

(ad para.1, page 3 of the letter of Justice Jackson to Lord Wright of July 5th, 1945)

(1) Criminal Plan.

Czechoslovakia was an obstacle to the German "Drang nach Osten" (Drive to the East) and to the domination of Europe:

(a) Strategically.

The words of BISMARCK: "Who dominates Bohemia - dominates Europe" might have led HITLER's plan of aggression.

Czechoslovakia was indeed of first strategical importance as a natural barrier and bastion against any military drive down to the Danube Basin and hence through the Eastern Carpathians to the East and along the Danube Valley to the Balkans.

Treaties of Czechoslovakia with France and the Soviet Union were for Germany pacts with her enemies from the West and from the East as well. Strategically Czechoslovakia formed the link of the potential two fronts against Germany.

Field Marshal KEITEL, when interrogated by Dr. Ečer, Czechoslovak Representative on the United Nations War Crimes Commission and Chief of the Czechoslovak War Crimes Investigating Mission attached to War Crimes Branch, USFET, on August 3rd, 1945, in Mondorff, confirmed that the Agreement of Munich was directed against the Soviet Union because "Czechoslovakia was considered as a possible stepping-up area (Aufmarschgebiet) of the Soviet Union with operationally dangerous consequences".

General HALDER saw the strategic meaning of Munich in forcing the Czechoslovak Army to retire from its extremely strong line of prepared fortifications, in handing over these fortifications to the enemy without fight, and in confining the Czechoslovak Army in a flat,

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narrow and wholly indefensible space.

(b) Politically.

Czechoslovakia was the last democratic bastion in Central Europe. It had its free democratic organisations and institutions, unfettered political parties, a free press etc. It had a democratic constitution which vouchsafed to every citizen complete equality before the law without any discrimination with regard to language, race or religion.

In the heart of Europe there was left a small independent country as a democratic and anti-fascist outpost of the West and East as well.

(c) Racially.

Czechoslovakia was, in the overwhelming majority of its inhabitants a Slavonic state with a strong conscience of all Slav-solidarity.

We mention the Tenth Sokol Congress held in the critical time of Summer 1939 in Prague, where once again the Sokol Congress became a demonstration of international Slav brotherhood even more than in past years.

(2) The Realisation of the Plan.

Thus Nazi Germany decided to "liquidate" Czechoslovakia first as an independent state and later as a nation.

The first part of this plan was realised by invasion and partial occupation from October 1st to October 10th, 1938, apparently according to the "Munich Agreement" of September 29th, 1938, by setting up a German controlled so-called "Independent Slovakian State" on March 14th, 1939, and by invasion and total occupation of Bohemia and Moravia on March 15th, 1938. (Details in Parts II and III of this Report.)

The realisation of the second part of this plan (evacuation of what would remain of the Czech nation after the mass murders, massacres, deportations, de-nationalisation etc., to the East) was prevented by Germany's defeat. (As to the plan of evacuation see Part III, and as to the destruction of Czech national life see Part IV of this Report.)

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(3) Methods in General.

Germany carried her war against Czechoslovakia by all means short of actual military operations for years before the actual blow was struck via Munich in October 1938.

The German Professor of Military Science, Evald BANSE, in his book "Germany Prepares for War", London 1934, the English translation of which Germany made such efforts to suppress, explains the methods of "peace-time" preparations for war, methods which were afterwards employed against Czechoslovakia.

He urges that disruptive propaganda should be set at work within the country itself "to dissolve the united mass of the enemy people". He goes on to recommend the creation of "Fifth Columns".

"Auxiliary posts must be established in the capital. Writers of the country must be got hold of and influence exercised through press, film and radio. Clubs, social centres and reading-rooms can all be brought into this service. Above all, whispering propaganda (Flüsterpropaganda) should be organised through native agents."

(4) The Chief Instrument: The Sudeten-German Henlein Movement.

(a) Deutsche Nationalsozialistische Arbeiter Partei (DNSAP).

Fundamental parts of the national socialist ideology derived from the Czechoslovak Germans KNIRSCH, KREBS and JUNG who, in Bohemia in May 1918, had reconstituted the German National Socialist Workers' Party (Deutsche Nationalsozialistische Arbeiter Partei DNSAP). HITLER's party to come was the Nationalsozialistische Deutsche Arbeiter-Partei NSDAP.

In permanent contact with the National Socialists of the Reich the German National Socialists in Czechoslovakia founded an organisation called "Volksport" (People's Sport for youths over 21, modelled exactly on the Storm Troops (S.A.) of the Reich.

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Headstrong youths of the "Volksport" sailed nearest the wind. In 1932, its student ring-leaders were charged with planning armed rebellion on behalf of a foreign power and sentenced for conspiring against the Republic, for having openly endorsed the 21 points of HITLER's programme, the first of which demanded the union of all Germans in a Great German State.

This incident was greatly exploited against the so-called Activists (German parties co-operating with the Czechs), who were accused of complacence to the Czechs and failure to vindicate German rights. It coincided with HITLER's accession to power.

Late in 1933, the National Socialist Party in Czechoslovakia forestalled its dissolution by voluntary liquidation, and several of its chiefs escaped across the frontier. This caused in German press and radio an outburst of violent threats against Czechoslovakia.

For a year the Nazi activity in Czechoslovakia was continued but underground.

(b) Deutsche Heimatfront.

On October 1st, 1934, Konrad HENLEIN, the "unpolitical" gymnastic instructor of the German Gymnastic Federation (Turnverband) of the Republic, established the "German Home Front" (Deutsche Heimatfront). He denied any relation to the late German National Socialist Party in Czechoslovakia and any connection of the "German Home Front" with the Nazi Party in Germany as well. He even refused to organise the German Home Front on party lines, although he built it up on the basis of the Nazi "Fuehrerprinzip" (principle of leadership), and himself became the "Fuehrer" of the "Heimatfront". But he attempted a camouflage: he rejected pan-Germanism, he insisted that Fascism and Nazism alike lost their natural "raison d'être" at the Czechoslovak frontiers; he declared himself against the revision of the Versailles Treaty, he professed the unconditional respect for individual rights and liberties, he argued with great fervour that loyalty of the "Sudeten Germans" to the German nation and at the same time to the Czechoslovak State were not mutually exclusive.

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(c) The "Sudetendeutsche Partei" (SDP).

The Czechoslovak election system is based on Party representation. HENLEIN, therefore, changed the German Home Front into the "Sudetendeutsche Partei" (Sudeten Germans' Party), for the purpose of participation in the General Elections of May 1935 for the National Assembly.

Economic distress owing to the trade crisis increased the susceptibility of the German population in Czechoslovakia for the new German Messiah and HENLEIN won a resounding victory over all other German parties.

When the election results were made known - the Henleinists won 44 seats in the Chamber of Deputies to the National Assembly - HENLEIN sent a loyalty telegram to President Masaryk.

(5) The Policy and Tactics of the "Sudetendeutsche Partei".

(a) 1935 - 1936: Still "for Democracy".

HENLEIN continued to present himself as a friend of democracy especially in London where he lectured in 1935 at Chatham House in the Royal Institute of International Affairs. He stated there that he refused the totalitarian principle and that he was in favour of "an honest democracy". "We want a democracy such as is recommended by Masaryk", he emphasized. He denied "Nazism" or "Hitlerism" to be a doctrine "suitable for exportation", he rejected anti-Semitism.

(b) 1937: For complete Autonomy of Sudeten Germans but still within the framework of the Czechoslovak Republic.

In 1937 HENLEIN struck a somewhat shriller note than before demanding, without defining "complete Sudeten autonomy". The "Sudetendeutsche Partei" laid draft proposals before Parliament amounting to little short of creating a state within a state. The whole document, though moderately worded, was already based on totalitarian principles.

(c) 1938: For Nazism and for Incorporation of the Sudeten Areas into the German Reich.

After the occupation of Austria (March 1938) the Henleinists openly jubilated. Nearly all German "Activist parties" were now

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stampeded into the Henlein camp leaving the fight against the "Sudeten-deutsche Partei" only to the German Social Democrats and Communists. The terrorism of the Henleinists increased. They intensified their campaign against "Bolshevism". Open anti-Semitic propaganda started in the Henlein press.

On April 24th, 1938, HENLEIN came into the open with his "Karlsbad Programme", set forth in his speech made to the Party Congress in Karlovy Vary. In every line of it could be heard not so much Herr HENLEIN himself as his master's voice. In the Karlsbad Programme among others the right of the Sudeten Germans to profess "German political philosophy" in other words, National Socialism, was claimed.

In May 1938, HENLEIN visited HITLER in Berlin and after obtaining his master's instructions was back in London at his old game of intriguing against the Czechoslovak Republic.

The Local Government elections in May 1938 - well prepared by the Henleinists by vast propaganda, opened terrorism, unscrupulous using of money, bribery of electors etc., - showed 80-90% of votes for HENLEIN. So almost the whole German population stood behind HENLEIN.

The Czech Government continued to negotiate with HENLEIN, but on September 14th, - two days before HITLER fulminated in his Nuremberg speech against "this Beneš" and accused him of "torturing" and planning the "extermination" of the Sudeten Germans - he threw off his mask, fled to the Reich declaring on the wireless: "We want to go home to the Reich", and denouncing "the Hussite Bolshevik criminals of Prague".

K.H. FRANK, interrogated by Colonel Dr. B. Ečer on May 30th, 1945, at Wiesbaden, stated that the slogan "Heim ins Reich" (Homewards to the Reich) was backed by 90% of the Sudeten Germans.

Few people knew before that HENLEIN went on HITLER's pay-roll already in 1933.

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(d) "Sudetendeutsche Partei" changed into a Nazi Party.

After Munich the "Sudetendeutsche Partei", in the areas ceded to Germany, entered as a whole into the Reich's Nazi Party. In the not yet occupied parts of the Republic, the "Sudetendeutsche Partei" constituted itself as "Nationalsozialistische deutsche Arbeiter-Partei in der Tschechoslovakei" (German Nazi Party in Czechoslovakia).

After the total occupation (March 15th, 1939) of Bohemia and Moravia this party too became part of the Reich Nazi Party. (About their activity after Munich see Section 7.)

(e) HENLEIN's Admission.

In a speech made on March 4th, 1941, in Vienna, published in official Nazi papers, HENLEIN stated: "In order to protect ourselves against Czech interference, we were compelled to lie and to deny our allegiance to the National Socialist cause. We should have preferred advocating National Socialism openly. However, it is doubtful whether in doing so, we would have been able to perform the task of destroying Czechoslovakia."

(6) System and Methods of Nazi Pre-War Infiltration.

(a) Seeds of Discord.

The Nazi Party's study and research groups had long been instructed not only to establish close co-operation with the German minority in the Czechoslovak Republic, but also to win over adherents from the Slovak autonomist opposition. Long before the Austrian Anschluss in March 1938, Nazi circles were not only in close contact with Slovak traitors living in exile (most of whom were directly employed by the Hungarian irredentists), but also tried to establish contacts in the organisational machinery of Hlinka's Slovak Peoples' Party (the Slovak Catholic People's Party of the late Monsignor Andrew HLINKA). When the traitor Béla TUKA (later to become Prime Minister of "independent" Slovakia) was tried for espionage and treason in 1929, the evidence established the Nazi

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connections with him.

The Nazi Party had paid agents among the higher staff of the Hlinka Party. Their task was to render impossible any understanding between the Slovak autonomists and the slovak parties in the Government at Prague.

K.H. FRANK, interrogated by Col.Dr. B. Ečer on May 30th, 1945, at Wiesbaden, confirmed the close co-operation between the "Sudetendeutsche Partei" (Sudeten German Party, headed by Konrad HENLEIN; details see Sections 4 and 5) with the Slovakian People's Party.

(b) Espionage.

Military espionage was conducted by members of the German minority on behalf of Germany. The Republic had to amend in 1936 the "Act for Protection of the Republic" of 1923 to cope with the widespread treason activity of the Henleinists and of the Reich Germans from beyond the frontier.

Plans of Henleinists discovered by the police showed that the Henlein Nazis had, in every district, compiled lists of all German democrats, socialists and communists as well as of Czechs of all parties, and were planning to round up and arrest them on the anticipated arrival of the Reichswehr.

(c) Murder, terrorism, anti-semitism.

The Nazis from the Reich sent directly to Czechoslovakia their terrorists and murderers; thus the anti-Nazis, Professor Theodor Lessing and Ing. Formis who escaped after 1933 from Germany and were given refuge in Czechoslovakia, were murdered in Czechoslovakia by Nazi agents, Lessing in 1933 and Formis in 1935. The Nazis from the Reich sent their Gestapo into the border districts to drag Czechoslovak citizens across the border to Germany. They also sent money and arms to the Henleinists who time and again provoked incidents in order just to keep permanent unrest. They attacked gendarmes, customs officers and other State officials who time and again suffered casualties. The Henleinists terrorised the non-Henlein population and in several cases

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murdered political foes.

Anti-semitic propaganda was carried through in the Henlein press and boycott set in against Jewish lawyers, doctors, tradesmen, shops etc.

(d) Propaganda.

Disruptive propaganda came from Germany especially through the German broadcasts. Dr. GOEBBELS launched "The-Nest-of-Bolshevism" campaign against Czechoslovakia and the lie of "Russian-troops-and-air-planes-in-Prague" etc. The Nazis from the Reich directed the whispering propaganda of the Henleinists thus maintaining a permanent state of high tension in the war of nerves.

The Henleinists spread more or less openly the Nazi ideology among the German population through their press and publications and smuggled illegal Nazi literature into the border regions from Germany.

(e) Headquarters in Germany.

The Nazis entertained in Stuttgart the "Ausland-Organisation der NSDAP" for German propaganda in other countries in co-operation with the German population of those countries. This organisation was headed by Gauleiter BOHLE, who had the task of administering the "Gau Ausland" (district: foreign countries). A comprehensive system with scientific methods of penetration was worked out. In Czechoslovakia the tool of German infiltration through Fifth Columns was the "Sudetendeutsche Partei" (see Sections 4 and 5).

(f) Nazification of German Institutions in the Czechoslovak Republic.

The Henleinists penetrated systematically step by step into the whole life of the German population of Czechoslovakia.

All institutions underwent gradually "Gleichschaltung" i.e. the prevailing domination of all Associations, social and cultural centres etc., by the Henleinists. Sport societies, football, light athletics, rowing clubs etc., were "conquered" just as associations of ex-service men, choral societies or associations for diet reform.

Nearly all theatres in German parts of Czechoslovakia were

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"conquered" by the Nazis, and all German orchestras as well.

It goes without saying that the Henleinists were greatly interested in penetrating into as many economic institutions as possible and to bring over to their side the directors of banks, the owners or directors of factories, commercial firms etc. In cases of Jewish owners or directors they tried to secure the co-operation of possibly the whole clerical and technical staff of the respective institutions.

(g) Orders from Berlin.

The Henleinists entertained permanent contact with their German masters.

Attendance of Sudeten Germans at Reich German celebrations, Saengerfeste (Choral Festivals), Gymnastic Shows and Assemblies, the Leipzig Fair etc., were often the pretext for organised meetings to instruct the native Fifth Columnists and to inspire their activity.

Whenever HITLER, in his War of Nerves against Czechoslovakia, needed incidents, the Henleinists supplied them promptly.

As one instance of many we quote Sir Nevile HENDERSON who reports in his book "Failure of a Mission", London, April 1940, the meeting of CHAMBERLAIN and HITLER in Berchtesgaden on September 15th, 1938:

> "....there was a constant influx of German Press telegrams about incidents in the Sudeten lands. One, I remember, reported that forty Germans had been killed in a clash somewhere with Czech gendarmes. A British observer, of whom there were already a number in Czechoslovakia, and who was immediately sent to verify the facts of the case, subsequently ascertained that there had, in fact, been one death."

Henderson adds that it was a typical example of the method of exaggeration and actual falsification of news.

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(7) Intensified Activity of the Henlein Nazis after Munich.

After Munich HENLEIN's deputy KUNDT became the leader of the German minority still left inside the mutilated Republic and created unscrupulously as many artificial "focal points of German culture" as possible. Germans from the districts handed over to Germany were ordered from Berlin to continue their studies at the German University in Prague, and to make it a centre of aggressive Nazism. The post-Munich government had to allow the German minority in Prague and other Czech parts of the country "to develop freely in conformity with the Nazi theories and not to prohibit its political activity".

It goes without saying that that "political activity" pursued only the aim to undermine and to weaken the Czechs' resistance against the commands from Germany.

The Henleinists co-operated with the Gestapo from the Reich infiltrating into the Republic.

The press was, via facti, subjected to censorship exercised by Germans.

German civil servants who, before Munich, had become members of the SDP, attained dominating influence in their positions and assisted the Nazi infiltration into Czechoslovak public and private institutions.

(8) Conclusion.

The separation of "Sudetengebiet" was the death blow for the economic independence of Czechoslovakia. The frontiers imposed on her by the Agreement of Munich and Vienna cut her railway lines at many places, thus making impossible any strategic defence of the mutilated country, which soon fell a victim to the German aggression.

HENLEIN's Fifth Columns in Czechoslovakia as described above,

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had their big part in assisting HITLER to achieve his aim.

As HENLEIN put it (see Section 5, (e)): "We should have preferred advocating National Socialism openly. However, it is doubtful whether in doing so we would have been able to perform the task of destroying Czechoslovakia."

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C Z E C H O S L O V A K R E P O R T - P A R T II.

(ad para. 2, page 3 of the letter of Justice Jackson to Lord Wright of July 5th, 1945)

S U M M A R Y.

(1) Deception applied by the Germans as normal diplomatic method.

(2) Germany's obligations towards Czechoslovakia and their violation.

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Col. Dr. B. EČER,
Minister Plenipotentiary;
Czechoslovak Representative on the
United Nations War Crimes Commission.

London, September 10th, 1945.

C Z E C H O S L O V A K R E P O R T - PART II.

(ad para.2, page 3 of the letter of Justice Jackson to Lord Wright of 5th July, 1945)

1. Deception applied by the Germans as normal diplomatic method.

The leaders of Nazi Germany were determined to achieve their aim i.e. enslavement of foreign countries, domination of Europe and through it the domination of the world by all means from diplomatic swindle and blackmail to the armed invasion. Thus the Nazi leaders gave solemn assurances of their peaceful and friendly intentions in general, and towards countries they intended to invade in particular, with the purpose to violate every international obligation. HITLER stated: "I am willing to sign anything. Why should one not please others and facilitate matters for oneself by signing pacts, if the others believe that something is thereby accomplished ? I shall make any treaty I require. It will never prevent me from doing, at any time, what I regard as necessary for Germany's interest."(Rauschning: "Hitler Speaks", page 14.)

RIBBENTROP when interrogated by Col. Dr. B. EČER, Czechoslovak Representative on the United Nations War Crimes Commission and Chief of the Czechoslovak War Crimes Investigating Mission attached to War Crimes Branch, USFET, on July 22, 1945 in Mondorff, stressed peaceful intentions of HITLER in the sphere of foreign policy, but pressed by precise questions he admitted: "I add that the Fuehrer when he came to the conviction that Germany was threatened by a vital danger, in such cases prevented this danger even when thereby the neutrality was violated. (The interrogating officer asked RIBBENTROP about the invasion of Holland, Belgium, Denmark and so on.)

The "vital danger for Germany" was always invented and pretended when HITLER intended to invade a country. Thus HITLER acknowledged various international obligations signed by Germany before 1933, he himself signed new obligations and treaties and violated all of them without any hesitation. The solemn declarations that Germany has

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peaceful intentions and will respect her international obligations were nothing but frauds to deceive the world and to prepare the way for the aggression. Numerous quotations can be given in order to prove that the leaders of Nazi Germany systematically pursued this policy of fraud. F.L. SCHUMANN in his book "Hitler and the Nazi Dictatorships", page 8, rightly stated: "In the Reich deception is an applied science as a fine art."

2. Germany's obligations towards Czechoslovakia and their violation.

(a) The pretexts: Czechoslovakia was strategically and politically a great obstacle for the Germans on their way to the domination of Europe and the world. BISMARCK's well-known statement: "Who dominates Bohemia dominates Europe", was the maxim of HITLER's action against Czechoslovakia. The question of the so-called Sudeten Germans was nothing but a pretext. When HITLER decided to dominate Europe, he decided at the same time that he must conquer Czechoslovakia. Without the conquest of Czechoslovakia the conquest of Europe would be impossible. He used for this purpose two pretexts:

a.a.) The so-called question of Sudeten Germans.

b.b.) The lie that Czechoslovakia is "Aufmarschgebiet" (territory for the army to start military actions) for the Soviet Union.

The former Field-Marshal KEITEL admitted this indirectly in his statement when interrogated by Col. Dr. B. LÖER on August 4, 1945 in Mondorff. He stated that Czechoslovakia was considered as "Aufmarschgebiet" for the Soviet Union with operatively dangerous consequences. But it would be dangerous for HITLER to admit the final aim, i.e. the conquest of Czechoslovakia at a time when he was not yet prepared for aggressive war, thus he employed the method of peaceful declarations and assurances towards Czechoslovakia.

(b) March 1938. The first step towards the conquest of Czechoslovakia was the occupation of Austria. To conceal the real character of the occupation of Austria, as the first step towards the conquest of Czechoslovakia, the Nazi leaders gave solemn assurances to the Czechoslovak Government that they will respect the independence and territorial

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integrity of Czechoslovakia. Neville HENDERSON, former Ambassador of Great Britain, in Berlin/ states on page 128 of his book "Failure of a Mission": "Yet at the moment of the march into Austria the German Government had been profuse in its fair promises to the Czechs. Any move on the part of the latter might gravely have compromised the success of the Austrian coup." The fairness of HENDERSON's statement was confirmed by KEITEL when interrogated on August 4, 1945 by Col. Dr. B. EČER. The interrogating officer asked KEITEL: "Was the danger of Czechoslovak mobilisation discussed about the time of the march of the German troops into Austria ?" KEITEL answered: "I drew the attention of the Fuehrer to the fact that when Czechoslovakia would mobilise, we were not prepared against it and we could not occupy Austria."

In order to prevent any Czechoslovak mobilisation the Czech Government was given assurances of peaceful intentions of Germany towards Czechoslovakia. I quote again HENDERSON - p.128: "The Czech Minister was accordingly given positive assurances of Germany's benevolence towards his country. GOERING repeated these assurances to me and I was authorised to convey them to His Majesty's Government." The assurances were given to the Czech Minister in Berlin by NEURATH and GOERING, by the latter on behalf of HITLER. NEURATH especially told the Czech Minister that Germany will respect the Czechoslovak-German Arbitration Treaty concluded at Locarno on October 16, 1925. Article 1 of this Treaty reads as follows: "All conflicts of any nature whatsoever between Czechoslovakia and Germany in which the parties would disagree about a legal claim and which could not be settled in a friendly manner by usual diplomatic procedure will be presented for finding either to the Court of Arbitration or to the Permanent Court of International Justice, regulated as below. It is understood that conflicts as described above include especially those to which § 13 of the Covenant of the League of Nations refers.

These regulations do not concern conflicts arising out of facts previous to this treaty and belonging to the past.

Conflicts for whose solution a special procedure is prescribed by other agreements valid between the high contracting powers will be settled in accordance with the regulations of these agreements."

Article 17 of this Treaty reads as follows: "All matters in which

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the Czechoslovak Government and the German Government would disagree and which they could not settle in a friendly manner by usual diplomatic procedure and whose settlement could not be achieved by findings as prescribed in Article 1 of this Treaty and for which a special kind of solution is not prescribed already by other agreements valid between the parties will be submitted to the Permanent Commission of Arbitration which will be entrusted to suggest to the parties acceptable solutions and to report in every single case."

(c) May 1938. Having achieved his aim in March 1938 HITLER decided to take a further step: to prepare an armed aggression against Czechoslovakia. He admitted this in his speech held in the Reichstag on January 30, 1939. In this speech he referred to the usual lie that the German minority was oppressed in Czechoslovakia and stated: "In view of this intolerable provocation which was further intensified by a truly infamous persecution and terrorism of our fellow countrymen living in those territories I am, therefore, resolved to solve once and for all, and this time radically, this Sudeten German question. On May 28 I ordered:

a.a.) That preparations should be made for military action against this state by October 2.

b.b.) That the construction of our western defences should be greatly expanded and speeded up."

Col. Dr. B. EČER interrogated KEITEL on August 4, 1945 about this point. KEITEL stated: "I consider as possible that appropriate instructions were given, although I do not know anything about it because as far as I can recollect the appropriate preparatory measures were taken later on in the summer, but I think that HITLER's statements were correct."
So one month after the solemn pledge to respect the independence and territorial integrity of Czechoslovakia and the Czechoslovak-German Arbitration Treaty, HITLER already having achieved by deceptive declarations his aim (to prevent Czechoslovak mobilisation at the time of the Austrian crisis) already decided to go over to military action in violation of his pledges of the declaration of his government and in violation of the Czechoslovak-German Arbitration Treaty of October 16, 1925.

(d) Munich. It is quite superfluous to state facts concerning Munich because they have already been published. We sum up:

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a.a.) Yielding to joint Anglo-French pressure the Czechoslovak Government accepted the French and British proposals to cede without plebiscite and without the consent of parliament Czechoslovak areas with more than 50% German majority.

b.b.) The Czechoslovak Government in their answer expressly stated that they accepted the proposals "assuming that both Governments would do everything in order to safeguard the vital interest of the Czechoslovak State" and under the condition that a general guarantee would be given to the remainder of Czechoslovakia against unprovoked aggression. This guarantee was also promised by HITLER and MUSSOLINI.

Minister MASARYK, in his letter dated 25th September 1938, to Lord HALIFAX pointed out that Czechoslovakia accepted the British-French proposals under extreme duress and "because it followed from the Anglo-French pressure that these powers would accept the responsibility for the reduced Czechoslovak frontiers and would guarantee their support in the event of Czechoslovakia being feloniously attacked". MASARYK already forsaw what HITLER's next step would be.

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CZECHOSLOVAK REPORT - PART III.

(ad para. 2, page 3 of the letter of Justice Jackson to Lord Wright of 5th July, 1945)

SUMMARY.

(1) October 1-10th, 1938.

(2) March 15th, 1939.

(3) The fate of the Czech People as prepared by the Germans.

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Col. Dr. B. EČER,
Minister Plenipotentiary,
Czechoslovak Representative on the
United Nations War Crimes Commission.

London, September 10th, 1945.

C Z E C H O S L O V A K R E P O R T

P A R T III.

(ad para.3, page 3 of the letter of Justice Jackson to Lord Wright of 5th July, 1945.)

The Invasion of Czechoslovakia.

1. October 1-10, 1938. The Munich "Agreement" extorted from the Western Powers and Czechoslovakia by blackmail, was described by KEITEL, when interrogated by Col.Dr. B. EČER, Czechoslovak Representative on the United Nations War Crimes Commission and Chief of the Czechoslovak War Crimes Investigating Mission attached to War Crimes Branch, USFET, on August 4, 1945, at Mondorff, as an agreement, the purpose of which was to exclude the Soviet Union from the European affairs and to liquidate Czechoslovakia as "Aufmarschgebiet" for the Soviet Union. It is not necessary to prove the illegality and nullity from the very beginning of this so-called "agreement" from the standpoint of international law. For the purpose of this report only two facts should be stressed:

(a) That the pledge of guarantee was never fulfilled by Germany.

(b) That even the "agreement" itself was violated by Germany, who occupied since October 1st up to October 10th, 1938, in flagrant violation of it, areas with great Czech majorities purely from a strategic point of view, and later on (March 15, 1939) the whole of Bohemia and Moravia.

The occupation was carried out apparently on the basis of the Munich "agreement", but was also carried out in violation of the same "agreement". An interesting document was handed over to some members of the British Parliament on October 31, 1938. It was a memorandum dated London, Hotel Mount Royal, 31st October 1938 and signed by Dr. Bohuslav EČER, at that time Vice Mayor of Brno.[x/] He together with the actual Chargé d'Affaires of Czechoslovakia in London, Dr. Jaroslav ČÍSAŘ, were sent by the town

x/ We enclose a copy of this memorandum.

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council of Brno to London in order to explain to British responsible political circles that the Germans had already violated the Munich "Agreement" in October 1938 by occupying areas with great Czech majorities in contradistinction to the Munich "Agreement" that only areas with a German majority of over 50% should be occupied. It is not surprising that it was the council of the great town of Brno, capital of Moravia, thus a local government, who sent this small delegation to Great Britain, because the central government in Prague was already under the influence of the German aggressors. This memorandum was accompanied by a set of maps and statistics concerning the Munich "Agreement" and the methods and effects of its application. It was proved by the memorandum and the annexed maps and diagrams that almost the entire Czech areas were occupied by Germany in violation of the Munich "Agreement". It was proved in the memorandum that not only the ethnological principle laid down as a basis of the Munich "Agreement" was violated, but also the principle of the economic viability of the Czechoslovak Republic which was assumed by the Munich "Agreement". The Czechoslovak Republic was occupied on the basis of a strategical consideration as territory needed for the future German aggression and thus to be conquered entirely, therefore, communications between the various regions of the Czechoslovak Republic were rendered useless, and food supplies for the towns seriously curtailed, the only purpose of the occupation being to make Czechoslovakia ripe for total occupation. The memorandum asks for the rectification of the frontiers according to the ethnological principle and for economic help promised by the powers in Munich and concludes:- "The Czechoslovak Republic, economically secured by financial assistance, supported by its natural wealth and its progressive and hard-working population, loyally co-operating with all its neighbours but preserving its neutrality and independence, will be a valuable factor in that task of consolidation and pacification which the Western Powers are endeavouring to achieve, and for which they claim the Munich "Agreement" to be the starting-point. If this process is not rendered possible by an equitable rectification of the frontiers and adequate economic assistance to the Czechoslovak Republic, Munich will not have been the end of difficulties, but the beginning of new ones which will culminate in a disaster, not limited

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to one part of Europe. The purpose of my letter and the material accompanying it is to draw your attention to the importance of the present Czechoslovak problem in all its bearings and in relation to the future of Europe as a whole."

Further events have proved how tragically the conclusion of the memorandum was justified.

2. March 15, 1939. On September 26, 1938 three days before the conclusion of the so-called Munich "Agreement", HITLER stated in a speech in the Berlin Sportpalast: "And now before us stands the last problem that must be solved and will be solved. It is the last territorial claim I have to make in Europe. I have assured Chamberlain that at the moment when Czechoslovakia solves her problems with her own minorities peaceably, I have no further interests in the Czechoslovak State and that is guaranteed to Chamberlain ....."

In violation of this solemn pledge and of the Munich "Agreement" HITLER occupied on March 15, 1939 Bohemia and Moravia. He conquered a territory which was necessary for him in order to prepare further aggressions and to complete his preparations for World War II.

It is unnecessary to deal with the so-called "agreement" concluded between HITLER and the late president of the Czechoslovak Republic, Dr. Emil HÁCHA in Berlin on the night 14/15 March , 1939. Before this so-called "agreement" was concluded the German troops had already penetrated into Czechoslovak territory in the afternoon of March 14. There is no question about the invalidity of this so-called "agreement", in fact there were no negotiations and no agreement. HÁCHA and his foreign minister Dr. CHVALKOVSKÝ were simply ordered to sign a slip of paper already prepared by HITLER. We refer to the French Yellow Book on this point published in February 1940. Both Great Britain and France refused expressly to recognize the occupation of the remainder of Czechoslovakia. The French Government stated explicitly through their Ambassador in Berlin:

"The government of the Republic considers in fact that as a result of the action undertaken by the Reich against Czechoslovakia, it is confronted with a flagrant violation of the letter and spirit of the "Agreement" signed in Munich on 29th September 1938." The British

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Government in a similar communication to the German Government by the British Ambassador, Sir Neville HENDERSON, observed that they "cannot but regard the events of the last few days as a complete repudiation of the Munich "Agreement" and a denial of the spirit in which the negotiations of that "Agreement" bound themselves to co-operate for a peaceful settlement".

3. The fate of the Czech people as prepared by the Germans.

The immediate purpose of the occupation was obvious: to conquer a territory which was necessary for Hitler in order to prepare further aggressions and to complete his preparations for World War II. KEITEL admitted it in his already quoted statement. The final purpose was the enslavement of the Czechoslovak people. HITLER stated in Summer 1932, at a meeting of Nazi high functionaries in the presence of DARRÉ, RAUSCHNING and others: "Bohemia-Moravian Basin will be colonised with German peasants. The Czechs and the Bohemians we shall transplant to Siberia or the Volhynian regions. They must go out of Central Europe." (Rauschning: "Hitler Speaks", p.46). This criminal plan was admitted by Karl Herrmann FRANK, the Secretary of State to the Reichsprotektor in Prague since March 17, 1939, and Minister of State in Prague since 1943, known to the world as the "butcher of Lidice". Interrogated by Col. Dr. B. EČER about this point on May 29,1945, at Wiesbaden, FRANK stated: "The plan of the evacuation of the Czech people to the East as mentioned above and discussed in party circles coincides roughly with the quoted passage." (i.e. passage from HITLER's declaration quoted above.)

"I do not know of course that this utterance originates from HITLER, also I do not know in which party circles this plan was discussed, but I remember exactly that I had worked out a memorandum in reply to these plans and sent it to the Fuehrer's Headquarters in which I strongly objected to such plans. I considered this plan as nonsense, as in my opinion the vacuum created by this plan would severely disturb the life functions of Bohemia and Moravia for various reasons of geo-political transport and industrial and other nature, and an immediate filling of this vacuum with the new German settlers was impossible.

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After the alleged plan of HITLER had been read to me I recalled exactly the contents of my oppositional opinion expressed in the memorandum. My memorandum was written either in late 1939 or early 1940 and sent to the Fuehrer's Headquarters."

RIBBENTROP when interrogated by Col. Dr. B. EČER on July 22, 1945 in Mondorff was asked, among other things, about two points:

(a) About a talk between him and Neville HENDERSON on 21st May, 1938. HENDERSON stated about this talk on page 136 of his book - "Failure of a Mission": "He (i.e. RIBBENTROP) thereupon turned in wrath to the accidental murder of two Germans near Eger, and used, as regards the Czechs, the most reprehensible bloodthirsty language. They would, he assured me, be exterminated, women and children and all. When I observed that while the death of two Germans was greatly to be deplored, it was better that two should die rather than hundreds of thousands in war, his only reply was that every German was ready to die for his country."

RIBBENTROP, interrogated about this point admitted that the incident of the two Germans was discussed, and continued: "If it was stated that I have threatened that the whole Czech people, men, women and children would be exterminated, it is completely untrue. I call it an infamous lie." Thus RIBBENTROP called Neville HENDERSON an infamous liar. HENDERSON admitted the failure of his efforts to reconcile Germany with the Western Powers. His policy was a wrong one, disastrous for the peace of Europe and the world, but there is no doubt that HENDERSON was an honest man. He cannot be called before the court as witness but his book is valuable evidence beyond any doubt.

(b) Then Col. Dr. B. EČER expressly asked RIBBENTROP: "Is it your opinion that the occupation of Czechoslovakia on March 15, 1939, was a violation of the Munich Agreement ?"

RIBBENTROP answered: "In formal respect it was in contradistinction to the declaration of HITLER given by him to CHAMBERLAIN but in fact the Fuehrer saw in the occupation "Lebensnotwendigkeit Deutschlands" (a vital necessity for Germany)."

RIBBENTROP added: "After the conclusion of the Munich Agreement

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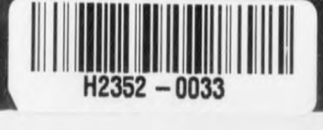

HITLER told me by telephone that CHAMBERLAIN had sent him the next day a paper containing, as far as I remember, two points:

(a) The confirmation of the German-English Naval Agreement.

(b) The declaration that Germany will have no further territorial claims in Europe.

Adolf HITLER signed it.

After the occupation of Czechoslovakia I was worried about the reaction in England and I told the Fuehrer that it seems to me that the occupation is in contra-distinction with the above-mentioned pledge given to CHAMBERLAIN. The Fuehrer explained to me in detail why he was obliged to take this step."

We add in conclusion a passage from Neville HENDERSON's above-mentioned book. He is in this respect a witness. He worked for the appeasement of Germany, he had many friends among the German Nazis, he was without any prejudice against the Nazis and yet he came, as far as the occupation of Czechoslovakia was concerned, to the following conclusions: (page 209-210) "By the occupation of Prague, HITLER put himself once for all morally and unquestionably in the wrong, and destroyed the entire arguable validity of the German case as regards the Treaty of Versailles. After Prague, Nazism ceased to be national and racial, and became purely dynamic and felonious. By his callous destruction of the hard and newly won liberty of a free and independent people, HITLER deliberately violated the Munich Agreement, which he had signed not quite six months before, and his undertaking to Mr. CHAMBERLAIN, once the Sudetenlands had been incorporated in the Reich, to respect the independence and integrity of the Czech people. Thereafter HITLER's word could never more be trusted, nor could the most pacifically minded disregard the rape of Prague. It was a repetition in another form of Belgium 1914, and it is no exaggeration to say that in 1939 also the war has been caused by the deliberate tearing up by Germany of a scrap of paper. Up till that March, as I wrote in my final report, the German ship of State had flown the German national flag. On those Ides of March its captain defiantly hoisted the skull and crossbones of the pirate, and appeared under his true colours as an unprincipled menace to European peace and liberty."

And on page 214: "The annexation of Bohemia and Moravia constitutes a wrong which will always be calling for redress, and though it may have

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afforded HITLER and RIBBENTROP a facile triumph, it would be sad not to believe that in the end it will prove a costly error..... His Majesty's Government will doubtless consider what attitude to adopt towards a Government which has shown itself incapable of observing an agreement not six months old."

Finally on page 295: "He may still be a genius, but by his cynical destruction of Czech independence, and by his unprovoked attack on the Poles, he has branded himself in the eyes of the world as that most dangerous of all menaces to humanity, a criminal one."

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(Enclosure to Part III. of the Czechoslovak Report [illegible])

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COPY.

246 MOUNT ROYAL,
Marble Arch, W.1.

CONFIDENTIAL. 31st October, 1938.

Dear Sir,

I beg to send you herewith a small set of maps and statistics concerning the Munich Agreement of September 29th and the method and effects of its application. You will notice that the English wording of the explanation on the first sheet is not quite accurate, but this defect was caused by lack of time for proper revision, and does not in any way invalidate the material itself, which was prepared by the Statistical Department of the Brno Municipal Council in accordance with the principles of strict scientific accuracy. Most of the material is concerned with the province of Moravia-Silesia because the territorial changes produced there as a result of the German occupation indicate in a very striking manner the discrepancy between the occupation and its results on one hand, and the Munich Agreement on the other, and therefore show with particular clearness the necessity for measures of revision and economic adjustment.

Here I should like to take the opportunity of making a few comments on this material.

(1) The aim of the material is to show that the Munich Agreement was infringed by the decision of the International Commission in Berlin and by the occupation resulting from this decision, and that it is therefore the duty of the Parties to the Agreement to rectify this injustice and to secure validity for the Agreement, for the fulfilment of which the Powers by their signature accepted responsibility, not only of a political and a moral, but preeminently of a juridical character.

(2) The Munich Agreement first and foremost guaranteed ethnographical frontiers to the Czechoslovak Republic by the stipulation that only preponderantly German territory was to be ceded to Germany.

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In many places, however, the line of demarcation as now drawn ignores this stipulation. You will see from the maps and diagrams that the occupation extended also to territory predominantly or almost entirely Czech. Thus, the following predominantly or almost entirely Czech areas in the province of Moravia-Silesia were occupied by Germany.

District (Table 1 and Diagram 3):

Hlučín	95.16% Czechs	4.67% Germans
Hodonín	88.00% "	8.78% "
Bílovec	73.80% "	25.67% "
Opava	55.85% "	43.23% "

Parts of Districts (Table 1 and Diagram 3):

Zábřeh	59.06% Czechs	40.81% Germans
Mor. Krumlov	53.89% "	45.48% "
Nový Jičín	51.87% "	47.78% "

Communes (Table 2 and Diagram 4):

Hodslavice	99.90% Czechs	0.05% Germans
Štramberk	98.62% "	1.30% "
Polička (Bohemia)	96.84% "	2.45% "
Příbor	95.14% "	4.42% "
Klimkovice	92.00% "	7.18% "
Mor.Krumlov	89.46% "	10.25% "
Hlučín	89.18% "	10.45% "
Kopřivnice	86.39% "	13.54% "
Břeclav	83.41% "	11.76% "
Zábřeh	68.77% "	30.96% "
Znojmo	64.29% "	33.25% "

Although the Munich Agreement and the Berlin decisions as to occupation concern only Germany directly, and left the territorial adjustments between Poland and Hungary on one side and the Czechoslovak Republic on the other to form the subject of direct negotiations between the Governments concerned, the maps of the territory and communes occupied by Poland likewise show a marked discrepancy as regards the letter and spirit of the Munich Agreement.

Thus, the following predominantly or almost entirely Czech areas were occupied by Poland:

Districts (Table 1 and Diagram 3):

Fryštát	65.15% Czechs	25.57% Poles

Communes (Table 2 and Diagram 4):

Petřvald	95.88% Czechs	1.24% Poles
Orlová	81.05% "	13.93% "
Nový Bohumín	49.14% "	7.25% "
Český Těšín	45.35% "	15.04% "

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(3) It would be wrong to take as a basis of the occupation the results of the 1910 census, partly because the nationality conditions have changed in the course of 28 years as a result of the national movement of population, partly also because the 1910 census did not establish nationality (as did the census carried out in Czechoslovakia in 1920 and 1930), but recorded only the "Umgangssprache" i.e. the language commonly used by each individual.

As a result of this criterion the figures relating to the Germans included also the Jews, of whom there was a considerable percentage especially in the towns, and nearly all of whom registered German as their language in common use. The German Government, however, has excluded the Jews from the German racial community, and the German character of the occupied areas cannot therefore be gauged by including the Jewish population among the Germans. As a result of this criterion, too, the figures relating to Germans included a very large number of Czechs who were therefore compelled to use the German language in their dealings with them.

For these reasons therefore the only reliable basis for the purpose at issue is the census according to nationality which was carried out in 1921 and 1930.

It may here be pointed out, however, that the German occupation included a number of districts and communes which were preponderantly Czech even according to the 1910 figures. Thus for example (Table 3):

Hodonín	87.09% Czechs	12.83% Germans
Bílovec	67.28% "	31.80% "
Hlučín	80.51% "	14.27% "

The new frontiers thus infringe the Munich Agreement in an ethnographical respect, and actually go beyond the demands of the Godesberg Memorandum which Mr. Chamberlain declared to be unacceptable. A comparison of the Godesberg line of demarcation with the present one established at Berlin shows that the "unacceptable" Godesberg Memorandum did not include, for example, Moravský Krumlov and Kopřivnice in the area for German occupation.

(4) Hence, for ethnographical reasons alone a rectification of

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the frontiers which, I assume, were provisionally established, is fully justified by the terms of the Munich Agreement, the signatories of which are juridically entitled to carry out this rectification and, moreover, are in a position to do so.

(5) The new frontiers, however, do not infringe merely the ethnographical principle which is expressly mentioned in the Munich Agreement, but they run counter also to the principle of the economic viability of the Czechoslovak Republic which is assumed and respected by the Munich Agreement. It should here be pointed out that the Representatives of the Great Powers, especially of Great Britain and France, who put their signatures to the Agreement, made statements emphasizing the fact that the Agreement not only settled the minority question, but also protected the Czechoslovak Republic which, within its new frontiers guaranteed by Great Britain and France, would not be troubled by the disturbing effects of the minority problem, but would be able to exist and develop under more favourable conditions than before.

In spite of this assurance, the economic viability of the Czechoslovak Republic has been seriously impaired. The reason for this is that the preponderantly Czech regions and communes were occupied only for motives of military and economic strategy or, in some cases, actually to serve the economic interests of an individual.

Thus, for example, the occupation was extended to Břeclav because it is a railway junction, to Hodslavice, because it is an important railway station, to Štramberk because it contains a large cement works, to Kopřivnice because it contains a large railway-carriage works and also one of the largest motor-car factories, to Polička, because it contains a munition factory, and to Moravský Krumlov, because it contains the estates owned by Count Kinský, a person with strong Nazi sympathies.

(6) In an economic respect the result is (see map No.1) that the communications between the various regions of the Czechoslovak Republic have been rendered useless. A further result is that the food supplies for the towns have been seriously curtailed. For example, Brno, which has 300,000 inhabitants, loses 35% of its supplies of cattle and meat, 40% of its supplies of milk (40,000 litres daily) and 50 - 70% of the supplies of other foodstuffs. It will take a long time before these

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shortages can be made good.

There are two economic effects of the new frontiers which are so outrageous as to call for special mention: The Germans have occupied the electrical power station of the Municipality of Prague at Ervěnice, and the reservoir at Březová which supplies Brno with its water. The Munich Agreement took into account the possibility of such effects as these which inflict serious damage upon the economic life of the State, and allowed for deviations from the ethnographical frontier where such a course was urgent from an economic point of view. Accordingly, for economic reasons also the demand for frontier rectification is entirely justified by the Munich Agreement, partly because this economic reason is, in the great majority of cases, identical with the ethnographical reason and partly also because even where the two reasons are not identical, (as in the case of the Prague electrical power-station and the Brno reservoir) the Munich Agreement expressly permits such rectification.

The economic self-sufficiency of the Czechoslovak Republic is not, however, merely a question of frontier rectification but is also, and perhaps mainly, a question of financial assistance in the form of a loan. As you are aware, the Czechoslovak Government has already applied to the Government of Great Britain for assistance of this kind and has met with a ready response which shows a thorough understanding of the needs of the situation. In this connection let me assure you that the Czechoslovak nation is accustomed to disciplined labour, and in the face of its present hardships will not hesitate to work to an even greater extent than hitherto for the purpose of maintaining the economic existence of its country. It will continue and will, indeed, even increase its output in agriculture and industry, it will construct communications and factories, it will create new economic resources. For this purpose it does not need any alms, for it has never received any throughout its existence. Whatever it has borrowed, it has always duly paid back. It will repay with interest also the loan which Great Britain is about to grant it. The benefits from this loan will not be limited to Czechoslovakia, but will be shared by the whole of Europe, and these benefits will be both of an economic and a political character. The neutrality

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and it will thus be maintained as a very valuable element of consolidation in the unstable area of Central and South Eastern Europe.

The Czechoslovak Republic, economically secured by financial assistance, supported by its natural wealth and its progressive and hard-working population, loyally co-operating with all its neighbours but preserving its neutrality and independence, will be a valuable factor in that task of consolidation and pacification which the Western Powers are endeavouring to achieve, and for which they claim the Munich Agreement to be the starting point. If this process is not rendered possible by an equitable rectification of the frontiers and adequate economic assistance to the Czechoslovak Republic, Munich will not have been the end of difficulties, but the beginning of new ones which will culminate in a disaster, not limited to one part of Europe.

The purpose of my letter and the material accompanying it is to draw your attention to the importance of the present Czechoslovak problem in all its bearings and in relation to the future of Europe as a whole.

I remain,

Yours very faithfully,

(signed) Dr. Bohuslav Ečer,
Vice-Mayor of Brno (Czechoslovakia).

Encls.

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C Z E C H O S L O V A K R E P O R T - P A R T IV.

(ad para. 4 page 3 of the letter of Justice Jackson to Lord Wright of 5th July, 1945).

S U M M A R Y.

I. Destruction of Czech Democratic Institutions.

1. Abolition of Autonomy.
2. Abolition of Human Rights and Liberties.
3. Suppr ssion of the Free Press.
4. Suppression of Parliament.
5. Abolition of Local Governments.
6. Suppression of Political Parties and Free Trade Unions.

II. Destruction of Czech Cultural Life.

1. Extermination of the Czech Intelligentsia.
2. The Students' Massacres.
3. Suppression of Czech Schools.
   - A. Higher Education.
   - B. Secondary and Elementary Schools.
4. Other Cultural Crimes.
   - a. Monuments.
   - b. Cultural Memorials.
   - c. Literature.
   - d. Theatres.
   - e. Assaults against National Dignity.
   - f. Persecution of "Sokol".
5. Religious Persecution.
   - a. Catholic Church.
   - b. Czechoslovak National Church.
   - c. Protestant Churches.
   - d. Czech Orthodox Church.
   - e. Jews.

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III. Destruction of Czech Economic Life.

1. Immediate Robbery.
2. Economic Germanisation.
   - A. Rural Expropriation.
   - B. Expropriation of Banks and Holdings.
   - C. Destruction of the National Industry.
     - a. Compulsory Organisation.
     - b. Armament Factories.
     - c. Goering Concern.
     - d. Light Industry.
     - e. Forced Labour (see Section 4).
3. Financial Plunder.
   - aa. Assault on the Currency.
   - bb. Clearing "Agreement".
   - cc. Credit Exploitation.
   - dd. Taxes.
   - ee. Customs Union.
4. Forced Labour.
   - a. 1939 - 1941.
   - b. 1942.
   - c. Arbitrary of FRANK and BERTSCH.
   - d. 1944.
   - e. Conclusion.
5. Other Spoliations.

IV. War on Jews.

1. The Constitutional Law.
2. After Munich.
3. After the Invasion of March 15th, 1939.
4. Ghetto in Terezin.
5. Figures.

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V. Terrorism.

1. Police Terrorism.
   a. The Power of the Police.
   b. Concentration Camps.
2. Criminal Courts.
   a. The People's Court (Volksgerichtshof)
   b. Special Courts (Sondergerichte)
3. The State of Civil Emergency (Ziviler Ausnahmezustand)
   a. The State of Civil Emergency (28.9.41 - 19.1.42).
   b. The State of Civil Emergency (27.5.42 - 3.7.42). (Lidice and Ležáky).

VI. The Persons Responsible in the Opinion of the Czechoslovak Government and the United Nations War Crimes Commission.

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Col. Dr. B. EČER,
Minister Plenipotentiary,
Czechoslovak Representative on the
United Nations War Crimes Commission.

London, September 29th 1945.

C Z E C H O S L O V A K R E P O R T - P A R T IV.

(ad para. 4, page 3 of the letter of Justice Jackson to Lord Wright of 5th July, 1945)

I. DESTRUCTION OF CZECH DEMOCRATIC INSTITUTIONS.

1. Abolition of Autonomy.

a) After Munich.

The Agreement of Munich, an economic and strategic deathblow to the Republic, meant politically its submission under the will and intentions of Germany. (see Part III).

Germany forced the Czechoslovak Government to bring Czechoslovakia's foreign and home policy into line with the policy of Nazi Germany. Step by step the prerogatives of an independent State were abolished, and the Republic was in fact governed by directives, requests and even commands from Berlin, although there was still in Prague an apparently independent Czechoslovak State machinery (President, Government, Parliament).

b) The "Protectorate".

The very title of "Protectorate" imposed on Bohemia and Moravia was a constitutional offence; on one of the oldest and politically, economically and culturally matured nations a status was imposed which is normally reserved by European colonial Great Powers for backward native nations in Africa who are unable to administer themselves independently.

The "Fuehrererlass" (Decree of the Fuehrer and Reich Chancellor on the Establishment of the Protectorate "Bohemia and Moravia") of March 16th, 1939, R.G.Bl.I, p.485 (Annex 1) the fundamental Act of the "Protectorate", proclaimed in its Article 3 that "the Protectorate of Bohemia and Moravia is autonomous", but

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it involved in itself the abolition of a real autonomy by authorising the Reich Protector and the Reich to interfere with that autonomy.

But even its doubtful autonomy was subsequently openly violated by the Germans by enactments and just via facti as well. One of those enactments is e.g. "Ordinance on legislation in the Protectorate of Bohemia and Moravia" dated June 7th, 1939, R.G.Bl.I. p.1039. According to Section 1, the Reich Protector is authorised to change by Decree the autonomous law if there is some joint interest; if there is any danger in delay the Reich Protector has the authority to issue provisions of any kind. (The Reich Protector, of course, decides himself whether there is a danger in delay.)

2. Abolition of Human Rights and Liberties.

a) After Munich.

aa) In the areas ceded to Germany.

Even before Munich in the so-called "Sudeten Area", Czechs, non-Henlein Germans and Jews had to suffer under the terror of the Henlein Nazi (see Part I).

The Agreement of Munich forced the Republic to cede 738,502 citizens of Czech language and race to Germany. Those people were thus deprived, with a stroke, of all democratic rights and liberties enjoyed under the Republic.

The Jews in the ceded areas were completely outlawed. Czechs, German democrats and Jews, in so far as they did not succeed in fleeing from the ceded areas, were exposed to all sorts of humiliation, robbery, ill-treatment and even to assassination.

K.H.FRANK, interrogated by Colonel Dr. B. ECER on the 30th May 1945 at Wiesbaden, stated that the Czechs in the ceded areas had no legal right of their own language, i.e. to deal in their mother tongue with authorities and lawcourts. They were not granted political rights. Asked whether safeguarding of life and property was guaranteed to these Czechs, FRANK answered: "I do not know."

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(bb) In the other areas of the Republic.

The influence of undemocratic elements increased and various restrictions and prohibitions cut democratic rights and liberties. The press e.g. was, via facti, subjected to German censorship, though not yet exercised openly.

(b) After the Invasion of March 15th, 1939.

Protection of family rights and honour, of individual life and personal freedom, of rights of property was abolished. A terroristic régime of Gestapo was set up. (Details see Section V.)

(3) Suppression of the Free Press.

(a) After Munich.

(aa) In the areas ceded to Germany.

In the ceded areas, with a stroke, the total suppression of the free press and its complete Nazification took place.

(bb). In the Other Areas of the Republic.

The Czech press, although apparently still free, was actually put under the control of German censorship.

(b) After the Invasion of March 15th, 1939.

On the day of the German occupation Herr von GREGORY, former press attaché to the German Legation in Prague, became master of the Czech press. He established a three-fold censorship of the Czech press. In every editorial office a Czech speaking German was appointed "house censor". The censor had to read every word which went to the printer - even in advertisements - and had to endorse the orders which flowed in a steady stream from GREGORY's office. Articles were written in the Protector's press office and signed with the name of the editor in chief, or of the political correspondent. They were to be printed without alteration. Editors who refused to consent to this misuse of their names were sent to concentration camps. Step by step the Nazis replaced by their own personnel most of the former staffs of the Czech editorial offices. New "Czech" periodicals were published to foster the "idea of the Reich".

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(4) Suppression of Parliament.

(a) After Munich.

On October 20th, 1938, the Czech Government, on orders from Berlin dissolved the Communist Party and deprived 30 communist members of their seats in the Parliament.

Then the Rump Parliament met first on November 30th, 1938, in order to elect a new State President.

On December 15th, 1939, the Rump Parliament, under Berlin pressure and in flagrant violation of the constitution of the Republic, authorised President HÁCHA by the so-called "Constitutional Enabling Act" to change, by mere personal decrees, even vital constitutional laws and to change the constitution itself.

Then the Rump Parliament adjourned and never did meet again. The Czechoslovak democracy was virtually abolished, the Parliament in fact suppressed.

(b) After the Invasion of March 15th, 1939.

Just a few days after the invasion, the Parliament was dissolved by Decree of President HÁCHA.

(5) Abolition of Local Government.

(a) After Munich.

In the ceded areas the Nazification of local government was accomplished. In the other areas no substantial change in the local government took place.

(b) After the Invasion of March 15th, 1939.

By Decree of the Reich Protector of September 1st, 1939, R.G.Bl.I.p.1681 (Annex 2.), the Protectorate was divided into seven administrative areas each headed by a German "Oberlandrat" responsible to the Protector but otherwise exercising absolute power.

Although the local government was put under the pressure of the central government influenced already by the Germans, the local authorities were forced to admit Nazi members to the local

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councils. In some Czech cities and towns with German minority, the German members of the local government constituted themselves as National Socialist Groups. These Nazis became the instruments of German Nazi policy in the sphere of local administration.

The provincial representative bodies both of Bohemia and Moravia were dissolved. Even in purely Czech districts and towns the Nazis appointed Germans as members of the District and Municipal Councils.

At Brno, the capital of Moravia, with 80% Czech majority, the town council was abolished, many members with the Lord Mayor at the head were sent to concentration camps and a German Lord Mayor - assisted by German officials - was appointed. In Prague, an almost purely Czech capital of the Republic, the Czech Lord Mayor and many councillors were sent to concentration camps, a new Czech Lord Mayor, who obeyed German orders, was appointed. A German was appointed his deputy. The town administration was put under German orders. In many other cities and towns the Czech mayors were replaced by German mayors or governmental commissars by decision of the Reich Protector.

By virtue of a Decree of HITLER concerning the "simplification of administration in the Protectorate" of May 7th, 1942, R.G.Bl.I. p. 329, the municipal authorities in Prague and Brno and many district authorities as well as the police headquarters in several towns were ordered to act on behalf of the Reich; (the so-called Reichsauftrags-verwaltung). So practically the Czech local administration was replaced by German administration.

(6) Suppression of Political Parties and Free Trade Unions.

(a) After Munich.

In the ceded areas the Nazi totalitarian régime, already existing de facto, was immediately formally introduced.

In other areas of the Republic the Party System was uprooted and, under pressure of the Germans, the members of the various

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parties were forced to enter one or other of two officially authorised parties: the Party of National Unity and the Party of Labour.

The Social Democratic Party had already formally broken away from its international affiliations; the Communist Party was soon afterwards dissolved, and a decree made it illegal to form any new party without the direct sanction of the Government.

It was the first step on the way to a total party system.

The free Trade Unions passed through a similar development.

(b) After the Invasion of March 15th, 1939.

On April 1st, 1939, the two surviving parties were fused into a single totalitarian party, which, however, was later dissolved so that a Czech Political Party no longer existed.

The Trade Union movement had lost not only its freedom, but virtually ceased to exist.

II. DESTRUCTION OF CZECH CULTURAL LIFE.

(1) Extermination of the Czech Intelligentsia.

We illustrate the idea of the Nazi assaults upon the national cultural life by the following quotations:-

The author of an article in THE TIMES published under the title "Martyred Czechs" in November 1939 reports that one of the Sudeten German chiefs had informed him that the aim of Nazi policy in Bohemia was "to smash the brains out of the Czechs", to destroy the intellectual strata which had "disturbed the desirable relationship which used to exist between German employer and Czech employee".

K.H. FRANK, who was appointed Secretary of State and deputy to the Reich Protector NEURATH in March 1939 and in August 1943 became Staatsminister and the Head of the German Executive in the Protectorate, said: "The Czechs are only fit to be used as workers and peasants."

K.H. FRANK replied to a Czech delegation which requested

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in 1942 the Czech universities and colleges to be re-opened: "If the war will be won by England, you will open your schools yourselves; if Germany wins an elementary school with five classes will be enough for you."

These quotations show the systematic Nazi projects of transforming the Czech people into a mass of labourers and stripping it of its intellectual élite.

(2) Students' Massacres.

(a) The Funeral of the Student OPLETAL.

On October 28th, 1939, the people of Prague demonstrated their loyalty to the Republic by observing the day as a national holiday just as had been done for the previous 20 years. The German police, personally assisted by K.H. FRANK, used all sorts of violence to suppress the demonstration. Among the many arrested was Jan OPLETAL, a 24-year old student of the Faculty of Medicine at the Charles University, who later died of his wounds which he had received at the hands of the Gestapo.

The University students were prohibited from attending OPLETAL's funeral on November 15th, but they assembled in front of the church, and as the coffin was borne out they shouted various keywords. Afterwards a crowd of students assembled on the Old Town Square. Weapons were used against the defenceless students. Turbulence arose and instigated by special German formations spread throughout the town.

(b) The German Assault.

On the following day, November 16th, Reich Protector NEURATH and State Secretary FRANK left for Berlin by aeroplane and had a meeting with the raging HITLER. In the course of the same day strong detachments of SA and SS reinforced by motorised regiments with full equipment, left Berlin for Prague.

In the night of November 16th/17th, German armed military formations made an assault upon the students in the character

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of a gangster's raid. They forced an entry into the buildings by shooting the porter and seized the students while they were still in their night attire in the dormitories. Many young men were killed, others brutally beaten and ill-treated, then they were taken to the Air Force barracks at Ruzyň. There, the students were subjected to sadistic tortures.

(c) Murder and Deportations.

In the raided colleges 14 students were killed by shots. At Ruzyň, on the morning of November 17th, 1939, a whole number of student officials and 9 members of the Committee of the Federation of Czechoslovak Students in Bohemia were executed by shooting. Bernhard VOSS, SS. Brigadefuehrer, interrogated by Col.Dr.B.EČER on June 21st, 1945, at Wiesbaden stated that at the time of the students' demonstration he was commander of the 6th S.S.-Totenkopfstandarde at Prague. He received from K.H. FRANK order to send to Ruzyň a firing squad for the execution of 11 or 12 students. He carried out the order.

1,200 students were taken, two days later to Oranienburg concentration camp.

At Brno no incidents happened to give the invaders a pretext for similar measures. Nevertheless,the largest college at Brno (Kounic College) was occupied by the Gestapo on November 17th, 1939, the students were ill-treated, and carried off in lorries to a special train which took them, without food and without an opportunity to get a drink, to a concentration camp.

(d) Occupation of Scientific Institutions and Robbery.

The Germans occupied all colleges and scientific institutions. They immediately seized the valuable apparatus, instruments and scientific equipment in many of the occupied institutions. The scientific libraries were systematically and methodically spoliated. Scientific books and films were torn up or taken away, the archives of the Academic Senate (the Highest University Authority) were torn

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up or burned, the card-indexes destroyed or scattered.

(3) Suppression of Czech Schools.

A. Higher Education.

(aa) Closure of the Universities.

State Secretary K.H. FRANK, in November 1939, as one of the reprisals for the students' patriotic demonstration, personally ordered the closure for a period of three years, of all Czech establishments of higher education.

The University students who were still at liberty, were forbidden to exercise an intellectual profession and were invited to find manual occupation within 48 hours, failing which they would be sent to labour camps to Germany.

The closure of the universities was aggravated by the closure of the great scientific libraries and of all institutions capable of offering intellectual sustenance to the students who had been expelled from the universities. The library of the University of Prague was henceforth accessible only to Germans.

(bb) Suppression of Scientific Life.

The closing down of Czech universities and colleges was merely the first step towards the complete suppression of the whole Czech scientific life. Czech university professors were either pensioned or transferred to functions which made scientific work impossible; the buildings of scientific institutions were handed over either to German universities and colleges or to German military and civil authorities. The Germans removed all scientific instruments and books and even complete laboratories to Germany, saying that the Czechs would no longer need them. Numbers of works of art, pictures, statues and rare manuscripts stolen from Prague University library and from private collections cannot be calculated, nor their value estimated. Scientific collections were also given to German schools provided they were not stolen piecemeal. A decree issued by the Protector on October 23rd, 1940,

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abolished the academic bodies of the closed universities and Polytechnic schools. Directors and Deans were dismissed.

Czech scholars and scientists were not even allowed to carry out research, and the most important Czech scientific and learned periodicals were suppressed.

(cc) Permanent Closure.

The Czech universities and 45 scientific institutions did not, of course, re-open at the end of the three year period. It was clear that the Germans were resolved to stamp out Czech higher education and organised scientific research. In October 1942 this was openly admitted by K.H.FRANK and the Czech public was told that the universities never will be re-opened as long as Germany will be the master of Bohemia and Moravia. At about the same time Czech students were invited to apply for admission to German universities in the Reich. Its aim was further de-nationalisation of the Czech youth. The decree, however , barred the access to the study of law, history and philosophy, i.e. those students could not become judges, lawyers, historians, educators. Those who were admitted did not enjoy their studies for long. In April 1943, they were drafted into the German Army, or conscripted for forced labour.

(dd) The German Plan.

The Germans have systematically done all they could to reduce the intelligence section of the people to the status of technical helots by a strict limitation of higher learning.

K.H. FRANK, interrogated by Col. Dr. EČER on June 10, 1945, at Wiesbaden, stated that HIMMLER repeatedly ordered to watch Czech intellectuals with special severity and to clamp down ruthlessly in the case of anti-German activities or of acts of resistance.

B. Secondary and Elementary Schools.

Hundreds of Czech elementary and secondary schools were closed in 1939, and so rapid was the systematic closing of Czech schools during the first year of the war that by the end of 1940 6,000 of the 20,000 Czech teachers were unemployed. But the unemployed

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teachers were not allowed to teach privately and they were advised to take up some manual occupation. By September 1942 some 60% of the Czech elementary schools had been closed by the Germans. (In territories with a mixed Czech-German population annexed by Germany according to the Munich Agreement, Czech secondary school education and Czech elementary schools as well were completely wiped out.) All Czech books published during the Republican régime have been confiscated, and glorification of Greater Germany and its Fuehrer became the basis of all teaching at Czech elementary schools.

In 1939 the number of pupils permitted to enter Czech secondary schools had diminished by 50% compared with 1938. In 1940 only 40% of the 1939 figure were permitted to go on from the elementary to the secondary schools. About 70% of the Czech secondary schools had been closed up to the end of 1942. Girls have been entirely excluded from the secondary schools.

Nursery schools for children between 3 and 6 were completely germanised and employed only German teachers.

(4) Other Cultural Crimes.

(a) Monuments.

In many towns the "Masaryk Houses" which for the most part contain libraries, halls for the showing of educational films, for the performance of plays and concerts have been confiscated and transformed into barracks or offices for the Gestapo. The monuments they contained, sometimes of great artistic value, were defiled and broken and in most cases completely demolished - especially those of Masaryk or those recalling the exploits of the Czechoslovak volunteers during the Great War. A number of monuments in Prague, among them Bílek's "Moses" and Mařatka's "Memorial to the Fallen Legionaries" have been melted down. The memorial dedicated to the Unknown Soldier was removed. HEYDRICH especially removed Czech national monuments from public places.

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(b) Cultural Memorials.

A decree of the Autumn of 1942 ordered all university libraries to hand over all early printed Czech works and first editions to the Germans. The collections in the National Museum were pillaged and the Modern Art Gallery containing a unique collection of Czech art of the 19th and 20th centuries with some precious specimens of foreign (mainly French) art was closed.

The crown jewels of the ancient Czech Kings had to be handed over to HEYDRICH.

K.H. FRANK, interrogated by Col. Dr. EČER on June 10, 1945, at Wiesbaden, admitted that he received orders from Martin BORMANN to remove to Linz from Bohemia and Moravia several specially valuable paintings of old masters. A million Reichsmarks were put at the disposal of the Reich Protector for the purchase of substitute paintings.

(c) Literature.

Translations of works of English, French and Russian authors, classic and modern, were withdrawn from circulation. The severest censorship was applied to the works of living Czech authors. Czech publishers suffered heavy losses; the Germans liquidated many progressive publishing firms by the simple process of sending their proprietors to concentration camps.

All the political literature of the Free Republic as well as the works of the men who brought about the Czech Revival in the 18th and 19th centuries were banned. Books by authors of Jewish origin were prohibited, as well as the works of writers who were political suspects. The Germans banned the Czech classics such as the works of Jan HUS, the 15th century Czech Reformer, Alois JIRÁSEK, the modern historical novelist and Viktor DYK, the poet, and others.

(d) Theatres.

The Germans took over many of the Czech theatres among them the famous Stavovské Divadlo in Prague.

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(e) Assaults against National Dignity.

HEYDRICH introduced as compulsory the Nazi salute in Czech offices and ordered the Nazi "Horst Wessel" song to be played in the Prague Czech National Theatre. He forced the Czech Government to include the Reich German member BERTSCH in the Cabinet, thus making German the official language of the Czech Cabinet meetings and subsequently that of the whole state administration. In certain villages the German authorities forbade even the singing of Czech folk-songs and of the National Anthem "Kde domov můj?" (Where is my home ?)

All those undertakings have to be taken into consideration as part of a comprehensive master plan of grave attempts to de-nationalise the inhabitants of occupied territory, designed to undermine the Czech cultural tradition and to stamp out Czech national life by infecting a democratic and freedom-loving people with the poison of Nazi ideology.

(f) Persecution of "Sokol".

Representatives of the gymnastic association "Sokol" ("Falcon") with one million members, immediately after the invasion joined the resistance movement, both the underground movement at home and the movement abroad. The Sokol idea united the members of the armies abroad and kept them strong and enthusiastic even during the hardest times and it was the same, or even more,at home. The Gestapo was aware of the danger and, for that reason, acted so severely. At the beginning they proceeded moderately, but when they found that the Sokols were unshakeable they began to use force. The first arrests were made on the day of the occupation of Czechoslovakia, but many more were made on September 1, 1939. Then followed a more extensive arresting of individuals and groups. In February 1940, the first of the heads and the secretary of the Sokol headquarters were arrested for co-operation with military underground organisation. At Easter 1941, the activities of the Sokol organisation were stopped

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and its property was secured. In July 1941, the head of the organisation and a number of important workers were arrested and shot according to martial law. After that things went quickly ahead. On October 8th, 1941, the Sokol organisation was dissolved, its property confiscated and the leading functionaries, also those of the district associations, were arrested. All the property was ruined, the installations despoiled and destroyed or taken away. The buildings were handed over to the Hitler Jugend, the army and the military hospitals. Immovables, savings and securities were stolen. Over one thousand million crowns in cash were forfeited to the Germans. Next came the trials and murders, torturing and killing of the functionaries and members of the Sokol organisation. The balance is a sad one: the headquarters have lost 92% of their functionaries and from the district associations almost 80% of the leaders are missing. The total number of those who met their death during the six-year-long occupation, amounts up to date to about 20,000 persons.

Other aspects and facts of criminal attempts or de-nationalisation are dealt with under the heading "Destruction of Czech Economic Life".

(5) Religious Persecution.

The suppression of religious liberties in Czechoslovakia and of the educational and national function of the Church is typical of what the Nazis wished to enforce as a rule of darkness over the whole of Europe.

(a) Catholic Church.

The maltreatment of the Roman Catholic priests was very severe. In the areas annexed to Germany after Munich a number of priests of Czech origin were robbed of their property and expelled. A wave of persecution began with the occupation of Bohemia and Moravia. Pilgrimages to the National shrines were prohibited in 1939. At the outbreak of war, 487 Catholic priests were among the thousands of Czech patriots arrested and sent to concentration camps as hostages.

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Venerable high ecclesiastical dignitaries were dragged to concentration camps in Germany. It was a common sight on the roads near to the concentration camps to see a priest dressed in rags, exhausted, pulling a cart and behind him a youth in SA uniform, whip in hand. Religious orders were dissolved and liquidated, their charitable institutions closed down and their members expelled or else forced to compulsory labour in Germany. All religious instruction in Czech schools was suppressed. Most of the weeklies and monthlies which the Catholics had published in Czechoslovakia, had been suppressed from the very beginning of the occupation. The Catholic gymnastic organisation "Orel" with 800,000 members was dissolved and its property was confiscated. To a great extent Catholic church property was seized for the benefit of the Reich.

(b) Czechoslovak National Church.

The Czechoslovak National Church was persecuted because of its very name, because of its Hussite sympathies and democratic constitution and because of its connection with the establishment of the Czechoslovak Republic. The Czechoslovak Church in Slovakia was entirely prohibited and its property confiscated under German compulsion in 1940. It has been allowed to exist in Bohemia and Moravia but in a crippled form under the name of the Czecho-Moravian Church.

(c) Protestant Churches.

The Protestant Churches were deprived of freedom to preach the gospel. German secret state police watched closely whether the clergy observed the restrictions imposed on it. Nazi censorship went so far as to suppress hymns that praised God for the nation's liberation from the hands of the enemy. Some passages from the Bible were not allowed to be read in public at all; the Nazis strongly objected to some christian doctrine being promulgated from the pulpit, e.g. those about the equality of all men before God, the universal character of the church of Christ, the Judaistic origins of the gospel etc.

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Reference to HUS, ŽIŽKA, and the Hussites and their achievements as well as to MASARYK and his Legions were strictly prohibited, even the religious text books were changed. Church leaders were especially persecuted, scores of ministers were imprisoned in concentration camps, among them the General Secretary of the Students' Christian Movement in Czechoslovakia. One of the Vice-Presidents was executed.

Protestant Institutions such as the Y.M.C.A. and Y.W.C.A. were suppressed throughout the country.

Among the murdered Czech ministers was a pastor of the Czech Brethren Evangelical Church, who was killed with his wife among the hostages executed for the assassination of HEYDRICH.

The leading Theological School for all Evangelical denominations, HUS Faculty in Prague and all other Protestant training schools for the ministry were closed down in November 1939, with the other Czech universities and colleges.

(d) Czech Orthodox Church.

The hardest blow was directed against the Czech Orthodox Church. The Orthodox churches in Czechoslovakia were ordered by the Berlin Ministry of Church Affairs to leave the Pontificat of Belgrade and Constantinople respectively and to become subordinate to the Berlin Bishop. The Czech Bishop GORAZD was executed together with two other priests of the Orthodox Church. By a special order of the Protector DALUEGE, issued in September 1942, the Orthodox Church of Serbian Constantinople jurisdiction was completely dissolved in the Czech lands, its religious activity forbidden and its property confiscated.

All Evangelical education was handed over to the civil authorities and many Evangelical teachers lost their employment; moreover the State grant to salaries of many Evangelical priests was taken away.

(e) Jews.

The racial persecution of the Jews is dealt with separately (Section IV.).

In connection with religious persecutions, we may mention the

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statement of K.H. FRANK, made on June 11, 1945 when interrogated by Col. Dr. EČER at Wiesbaden.- FRANK stated that in November 1938 the Jewish places of worship in the "Sudeten" province were torn down by express order of the Party, i.e. the Party Chancellery of Munich at the head of which at that time was Rudolf HESS, and in the Autumn of 1941 it was HEYDRICH who ordered all synagogues to be closed, because "they had served as meeting places for aggressive Jewish elements".- Many synagogues were demolished, others transformed into marketing halls or into auction halls for the sale of confiscated Jewish furniture and household goods.

III. DESTRUCTION OF CZECH ECONOMIC LIFE.

It is our destiny to belong to a race of high standing. A race of lower standing needs less room, less clothing, less food and less culture than a race of high standing.

Dr.LEY in "Angriff" of 30.1.1940.

The German plan of campaign against Czechoslovakia was aimed not only against the Republic as a political and military unit, but against the very existence of the Czechoslovak people who were to be robbed not only of all political rights and cultured life, but of their wealth and their financial and industrial resources.

(1) The Immediate Robbery.

(a) After Munich.

Already after Munich the Germans seized all the industrial and commercial concerns belonging to the Czechs and Jews in the ceded areas of the Republic, all without compensation. Czechs and Jews were robbed of all house property, all business and factory premises, usually by violence and often with bloodshed.

(b) After the Invasion of March 15th, 1939.

HITLER entered Prague at nightfall on March 15, 1939 and spent

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the night there in the famous castle Hradčany. Early next day he left, but he took with him a number of valuable tapestries. We mention this robbery not owing to the value of those gobelins, but as an example set by the head of the Party and the German State on the very first day of invasion.

The German troops who invaded Prague brought with them a German staff of economic experts, i.e. of experts in economic looting.

Everything that could be of some value to Germany was taken, especially considerable stocks of raw materials, vast stocks of copper, tin, iron, cotton, wool, great stocks of food, etc.

Rolling stock, carriages, engines and so on were taken by the Reich. All the rails in the Protectorate which were in good condition were taken up and sent to Germany, and they were afterwards replaced by old rails brought from Germany. New trolley-buses which were on order for the Prague Municipal Tramways and had just been completed were deflected from their purpose and sent to the Reich.

The vessels belonging to the Czechoslovak Danube Steam Navigation Company (the majority of their shares belong to the Czechoslovak State) were divided between the Reich and Hungary.

Valuable objects of art and furniture disappeared from public buildings, without even an attempt at a legal justification of this robbery; pictures, statues, tapestries were taken to Germany - the Czech National Museum, the Modern Art Gallery, public and private collections were plundered.

The Reich German Commissar of the Czechoslovak National Bank stopped all payments of monies abroad and seized all the gold reserves and foreign bills in the Protectorate. Thus the Germans took 23,000 kilogrammes of gold to a nominal value of 737,000 million crowns (£5,265,000) by transferring the gold deposited in the Bank of International Settlement to the Reichsbank.

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(2) Economic Germanisation.

A. Rural Expropriation.

(aa) After Munich.

In the areas occupied by the German army at the beginning of October 1938 Germany began to settle her nationals on all farms whose Czech or Jewish occupants had fled for political or racial reasons.

The Czechoslovak Land Reform Act of 1919, in so far as it benefited Czech nationals, was declared invalid; Czech settlers were expelled from their estates and compelled to relinquish their cattle, agricultural implements and furniture.

On paper the Czech settlers were compensated; in fact they were charged taxes and sums to cover the "deliberate damage" they were said to have caused by escaping. These taxes and sums more than balanced the compensation.

The big agricultural estates and State forests of the Czechoslovak Republic became automatically Reich property and came under the jurisdiction of the Reich Ministries concerned.

(bb) After Invasion of March 15th, 1939.

After the invasion German managers, supervisors and foremen replaced the representatives of the Czechoslovak Republic in state-owned plants.

Germanisation of private estates began, of course, with the catch-word "Aryanisation".

The Germanisation of rural Bohemia and Moravia was entrusted to a special body called "Deutsche Siedlungsgesellschaft" (German Settlement Society), located in Prague.

Czech peasants were offered compensation for their estates but inadequate prices.

Rural Germanisation, apart from Germanisation pure and simple, aimed at pauperising as many well-to-do Czechs as possible.

The Nazis did their utmost to get all they could out of

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Czech agriculture. Here too, their aim was twofold: to get hold of as much food-stuff as they could and to germanise as much as possible.

Farmers were turned out of their farms to make way for German settlers - whole agricultural districts had been cleared of Czechs in this way. The agricultural Co-operatives charged with the control of production were transformed into compulsory organisations and were progressively germanised.

The looting of property and wealth was followed by the pillaging of products of the soil. Heavy fines and often death penalty were imposed on Czech peasants for intentionally disregarding the orders about production, delivery and rationing.

B. Expropriation of Banks and Holdings.

In Czechoslovakia industrial undertakings are directly financed by the banks, which often own or control the majority of shares. By getting control of the banks, the Nazis got control of industry.

(a) After Munich.

After Munich two big German banks, the Dresdner Bank and the Deutsche Bank took over the branches of Prague banks, situated in the ceded territory. Thus the Dresdner Bank took over, among others, 32 branches of the Bohemian Discount Bank, and the Deutsche Bank, among others, 25 branches of the Bohemian Union Bank.

As soon as these two German banks had gained control of the Sudeten Branch Banks they endeavoured to gain influence also upon the Prague Headquarters of the respective banks.

The Czechoslovak banks were joint stock companies. Every Joint Stock Company even with only one Jewish director was considered to be Jewish. Thus non-Jewish property was taken over as well.

(b) After Invasion of March 15th, 1939.

After the invasion several Czechoslovak banks in Bohemia became, by means of the Aryanisation, the property of the Bank of Dresden; the German bank took over, among others, the Union Bank of Bohemia. In this way all financial interests which these banks had

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in Czech industry as well as their entire share-capital, fell into German hands.

Hence started the penetration of German bank capital into the Czech banks, their expropriation and incorporation into the German bank system. The "Dresdner Bank" (being the actual establishment for handling the funds of the National Socialist Party) and the "Deutsche Bank" were officially entrusted with the task of expropriating the funds belonging to the Czechoslovak Banking concerns.

By diverse "transactions", by gaining influence through the Sudeten Branch Banks upon the Prague Headquarters of the respective banks, by reducing the share capital and then increasing it with German help, by acquisition of industrial holdings and thus gaining influence upon the controlling banks, by depriving banks of their industrial interest, etc., the two Berlin banks gained complete control over the banks of the Protectorate. Gestapo terror helped them.

The control of the Czechoslovak banks meant actually the control over practically the whole industry directed by the Dresdner Bank and Deutsche Bank on the one hand, and by the big German industrial concerns on the other hand.

C. Destruction of the National Industry.

(a) Compulsory Organisation.

After the invasion the Germans introduced on the German model a compulsory organisation of the Czech industry of the Protectorate. They appointed a committee of the new association and of all the manufacturing "groups" putting at least one Nazi on each of them either as chairman or vice-chairman or quite innocently as an ordinary member. Practically all the Czech members remained mere lay figures.

(b) Armament factories.

The Dresdner Bank acquired the most important armament factories of Czechoslovakia, i.e. the Škoda Works in Plzeň and the Czechoslovak Zbrojovka in Brno. The private share-holders were forced to surrender their shares far below their actual value; the bank

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paid for these shares with bank notes which had been withdrawn from circulation or which the Germans had confiscated in the districts ceded by the Munich agreement.

(c) Goering Concern.

The German domination over the Czechoslovak banks and, therefore, over the industry through the big Berlin banks, was accomplished through the gigantic Hermann GOERING Concern which, one by one seized the greatest Czechoslovak industries at the smallest financial cost, that is to say by the chief pretext of Aryanisation, by pressure from the Reich, by financial "measures" and by the threat of Gestapo and concentration camps.

Finally all big industrial holdings, works and plants of the armament, coal and iron industry fell into German hands. The great chemical industry was absorbed by the German concern "I.G.Farben Industrie".

(d) Light Industry.

The light industry was forced to submission as well. When the war broke out the war restrictions were ruthlessly applied to all Czech firms. The German firms were given priority in the distribution of raw material in German hands. Another way of wiping out Czech industry was by ordering firms to scrap their machines. The Germans seized complete control of the distribution of raw materials, they decided how many machines in each industry were to be scrapped, they fixed the price of goods; actually the industrialist did not even manage his own business.

The Nazi "New Deal" for industries was crowned early in 1942 by the appointment of Walter BEMTSCH as Minister of Economy and Labour, a German from the Reich. To facilitate the plundering of industry the Ministry of Trade, Commerce and Industry, the Ministry of Public Works and the Ministry of Social Welfare were all combined under his administration.

(e) Forced Labour.

How the Czechoslovak Human Treasure was exploited in the

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interest of the German War Machine is dealt with in the section "Forced Labour" (Section 4).

(3) Financial Plunder.

(a) After Munich.

After the occupation of the territory ceded apparently in accordance with the Munich Agreement, the Germans refused to take over part of the Czechoslovak State Debt, although they acquired very valuable State property in the districts taken away from Czechoslovakia; 1,600 million crowns worth of State obligations of low denominations have been in circulation in the ceded territory. The Germans enforced the right for themselves to use these obligations in Czechoslovakia as legal tender.

(b) After the Invasion of March 15th, 1939.

(aa) Assault on the Currency.

After the invasion the Nazis immediately introduced a fixed rate of 10 crowns to one mark thus lowering it to the disadvantage of the Czech crown. The invading German army and other Germans could so plunder the rich Czech reserves at low prices still current in the Protectorate.

In addition, all stocks of precious metals, diamonds, foreign currencies had to be exchanged for the German paper mark in the entire area of the Protectorate.

(bb) Clearing "Agreement".

A big financial looting started with the financial clearing agreement negotiated between the Czech National Bank and the Reichsbank. This simple measure enabled the Germans to import goods freely from the Protectorate without burdening the German balance of payment with an equivalent. The German importer paid the Reichsbank in marks for the goods which he had bought and the Reichsbank entered the equivalent in crowns to the credit of the Czech National Bank on the Clearing Account. The National Bank in Prague could do nothing but enter

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these sums as assets; they appeared in its weekly statements under the heading "other assets", although they were doubtful from the beginning and worthless at the end.

The Account of the Czech National Bank showed the following figures for "other assets" in millions of crowns:

31st December 1938	845
31st December 1939	3,576
31st December 1942	17,366

It must, however, be borne in mind that the statement of 31st December 1938 gives the state of the Bank of issue covering the whole of the Czechoslovak Republic, while that of 31st December 1939 and 1942 gives that of the Bank of issue covering only the Protectorate.

By inflating the account "other assets" the Germans made their financial plunder on the country's inherited wealth and of the products of decades of labour.

(cc) Credit Exploitation.

The Nazis forced worthless German State securities, German long-term debentures etc., upon all Czech banks and Savings banks and overloaded arbitrarily the capital of the Czech banks. They could do so because they had their own Commissar in each department of the Ministry of Finance, in the National Bank of the Protectorate, in the Postal Savings Bank and the credit organisations; but chiefly because behind them stood the Gestapo and the threat of concentration camps. Thus the Nazis were able in the Protectorate to direct large sums for financing the war.

(dd) Taxes.

As war broke out the Nazis fixed the "War contribution of the Protectorate" with an annual sum of 2,000 million crowns (£14,200,000). The Nazis claimed that they were legally entitled to this on the grounds that the Czechs did not have to fight, because the Germans fought for them.

Immediately after the occupation the Germans seized the proceeds of various indirect taxes and diverted them straight into the Reich Treasury.

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(ee) Customs Union.

The Customs Union of the "Protectorate" with Germany introduced at the end of 1940 was a further instrument in the hands of the Nazis to hold the Czech economic life under their thumb. Much of what the Germans did, via facti, since Munich and the occupation, received through the Customs Union a sort of legal sanction.

(4) Forced Labour.

(a) 1939 - 1941.

After the students' massacres in November 1939, students who escaped execution or the concentration camps had to find manual work within 48 hours or they were sent for forced labour to Germany.

A decree of January 23, 1941, rendered possible the calling-up of all Czech men between the ages of 18 - 50 for forced labour for a period of 6 - 12 months, "for the carrying through of urgent work of special importance for the State and for its economic life".

On December 18, 1941, HEYDRICH, then Reich Protector, supplemented this enactment by another decree, stating that single individuals (later it was extended to married people) who were not engaged on important work could be called up to carry out important war-work anywhere on Reich territory including Poland.

(b) 1942.

On March 21, 1942, HITLER issued a decree regarding the appointment of a general plenipotentiary for mobilising man-power, Erlass des Fuehrers ueber einen Generalbevollmaechtigten fuer den Arbeitseinsatz (RGBl.p.179). This order was signed by HITLER, LAMMERS, (Reichsminister und Chef der Reichskanzlei) and KEITEL. The decree expressly declares as its purpose to mobilise the available man-power in the interest of the whole war economy, particularly for the purpose of armament. It provides for the planning of man-power of all available men and women, including foreigners and prisoners

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of war and the mobilisation of the whole man-power not yet made use of in the "Greater German Reich", including the "Protectorate", etc. The wording of that order leaves no doubt that it mobilises, in the interest of the German war machine not only German nationals, but also foreigners living in Germany, prisoners of war and the inhabitants of the occupied territories.

Through the decree mentioned, SAUCKEL was appointed plenipotentiary general for the mobilisation of man-power (General-bevollmaechtigter fuer den Arbeitseinsatz) and it was enacted that he was subordinate to GOERING in his capacity as Commissioner for the Four Years Plan.

By an order issued on March 27, 1942 (RGBl. I, p.180) GOERING as Reich Commissioner for the Four Years Plan gave effect to HITLER's decree dated March 21, 1942. By this order GOERING defined SAUCKEL's powers and provided that, among others, the Reich Protector in Bohemia and Moravia and the chiefs of the civilian administrations of occupied territories were subordinate to SAUCKEL as far as his task of planning man-power for war purposes was concerned.

According to one of HEYDRICH's last decrees of May 1942, the labour exchange could conscript for casual labour in any district any child, even during the school term. Children from 14 years upwards were sent into factories, farms and even mines and kept there permanently.

(c) Arbitrary of FRANK and BERTSCH.

K.H.FRANK in March 1939 appointed "Secretary of State" (and in August 1943 Deutscher Staatsminister in Bohemia and Moravia) was second in the hierarchy of the German civil administration of the Protectorate and responsible towards the Reich Protector NEURATH and towards the Reich Government for giving effect, in the territory of the Protectorate, to the orders given by the Reich School authorities, among others also for giving effect to the general orders regarding mobilisation of man-power mentioned above.

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In January 1942 the Reich-German Dr. Walter BERTSCH was appointed Czech Minister of Economy and Labour and took over control of all social welfare and public works. BERTSCH (actually an exponent of Berlin) was given the power to issue decrees without even informing his "colleagues" in the government.

K.H.FRANK and BERTSCH brought about the introduction of the general provisions regarding the forced labour into the "legal order" applied on the territory of the Protectorate. This was effected among others, by two orders of the Protectorate: Government order relating to the planning of man-power (Regierungsverordnung ueber Massnahmen zur Lenkung der Arbeitskraefte) dated May 4, 1942, Collection No. 154/1942 and the Government Order concerning the stabilisation of wages and salaries and the safeguarding of labour morale (Regierungsverordnung ueber die Sicherung der Lohn - und Gehaltsstabilitaet sowie der Arbeitsmoral) dated December 7, 1942 Collection No. 404.

By Section 1 of the order 154/1942 the duty to work was imposed upon all inhabitants of the Protectorate who were able to work. Sections 14 - 17 provided that inhabitants of the Protectorate were also liable to work "on other Reich territory", that means outside Czechoslovakia.

We may mention also the Protectorate government order on labour duty for youth (Regierungsverordnung ueber die Jugenddienstpflicht) of May 28, 1942 Collection No. 187, and execution provisions by which the labour duty for youth was ordered for inhabitants of the Protectorate, boys and girls between the ages of 10 - 18.

On the 2nd February 1943 BERTSCH signed an order mobilising for war work in Germany all Czech men between 15 - 65 years and women between 17 - 45 years of age as well as certain categories of school children up to the age of 16.

(d) 1944.

In 1944 the general mobilisation of man-power, both German

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and foreign, was enhanced by a number of steps initiated by HITLER's decree dated July 25, 1944, stating that GOERING as President of the Ministerial Council for Reich Defence shall adapt public life for the requirements of total war and that he shall propose the name of a plenipotentiary with that object. Dr. GOEBBELS was nominated by GOERING for the office and was accordingly appointed as plenipotentiary for the Total War Effort. This decree extends the measures for the total mobilisation of man-power also to the occupied countries.

By HITLER's decree of July 25th, 1944 Martin BORMANN, the chief of the Chancellery of the NSDAP was directed to give active support, through the machinery of the Party, to the efforts of GOEBBELS.

(c) Conclusion.

Czechoslovak nationals were forced, in very great numbers, to do work in the interest of German war operations, in munition factories, aircraft factories, factories for the production of other war material, in transporting men and munitions and other war material to the fighting fronts of Germany and to complete fortifications of all kinds.

The number of Czechoslovak citizens who were compelled to work inside Czechoslovakia runs into millions.

750,000 Czechoslovak citizens were compelled to forced labour outside the Czechoslovak frontiers in the interest of the German war machine.

We refer to the somewhat fuller statement on Forced Labour of K.H. FRANK, interrogated by Col. Dr. ECER on May 30th, 1945 at Wiesbaden.

(5) Other Spoliations.

Aryanisation was completed in November 1942 when the property of all Jews who had emigrated or been deported, had been officially confiscated by the Reich.

Property was confiscated by virtue of sentences of illegal courts.

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The confiscation of the property of "dangerous and politically suspicious persons" was another legal title of German robbery.

Exiles were deprived of Czechoslovak nationality and their property was forfeited.

The property of all the many organisations dissolved by the Nazis was confiscated.

(6) Conclusion.

The total sum of economic spoliation from 1938 till 1945 is estimated by economic and financial experts at 200 milliards Czechoslovak crowns. This figure is not an official one as the investigations as to the total amount will take a great deal of time. Experts think that 50% of Czech national wealth was stolen and robbed by the German invaders.

IV. WAR ON JEWS.

The Nation's attitude towards the Jews is the measure of its cultural maturity.

T.G. MASARYK.

(1) The Constitutional Law.

By their war against the Jews the Nazis violated a fundamental law in force in the Czechoslovak Republic, the Constitutional Law, § 128 of which runs: "All citizens of the Czechoslovak Republic are fully equal to each other before the law and they enjoy the same civic and political rights without regard to their race, language or religion."

(2) After Munich.

In the ceded areas all measures against the Jews already in operation in Germany, were immediately applied.

In the other areas of the Republic, under German pressure, some preliminary anti-semitic measures took place. RIBBENTROP indicated

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to the Prague Government that the pre-condition of a German guarantee of the new frontiers of the Republic was "the promulgation of anti-semitic laws, analogues to those of Nuremberg".

State officials of Jewish origin as well as school teachers and university professors were pensioned off or dismissed. The elimination of Jews from the Bar, the press, the films etc. was in gradual preparation when the Germans entered Prague on March 15th, 1939.

(3) After the Invasion of March 15th, 1939.

From the very beginning of the invasion the general discrimination of the Jews started. There came a wave of anti-semitic measures of social and economic character. Jews were arrested by thousands and soon organised pogroms took place. The confiscation of Jewish property and exclusion of Jews from the economic life is dealt with in Section III.

The Government order on the legal status of the Jews in public life (Regierungsverordnung ueber die Rechtsstellung der Juden im oeffentlichen Leben) of the 4th July 1939, Collection No.136/1940 defined the conception of the Jew in the spirit of the Nuremberg laws and regulated "legally" the social and functional abolition of Jews' rights which had already via facti materialised.

Decrees, orders, regulations brought about most degradating restrictions, prohibitions and attacks, until the system of material and moral destruction culminated in complete extermination of the outlawed and outcast Jews in Czechoslovakia.

(4) Ghetto in Terezín.

By order of the Reich Protector of February 16th, 1942 (Annex 3), the Ghetto in Terezín (Theresienstadt) was established.

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Successively all the Jews in Bohemia and Moravia were deported to the Ghetto in Terezín and partly to the extermination camps in Poland, especially to Oswieczim-Birkenau. Regular transports went from Terezín to the large scale gas-chambers in Poland.

(5) Figures .

The Jewish population in the Czechoslovak Republic amounted to 2,4% of the total population. The number of Jews in Bohemia and Moravia was about 118,000 Jewish citizens, 20,000 of whom emigrated before the Nazi occupation. Of the rest 10,000 died a natural death and about 5,000 were members of mixed marriages whose deportation took place at a later date so that almost all of them survived the Nazi terror. Jewish deportations from Prague were started on a large scale on October 1st, 1941, with the transport of 7,000 persons to Lodž. Altogether 76,000 adult Jews were deported and out of them only 6,500 persons have come back. Out of 15,000 Jewish children only 28 have returned.]

K.H. FRANK, interrogated by Col. Dr. B. EČER on June 11th, 1945, at Wiesbaden, declared that the decrees concerning the Jewish question were made by a branch of the Reich Ministry of the Interior.

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V. TERRORISM

The political and economic ends pursued by the Nazis in Czechoslovakia and their attempt to destroy the Czechoslovak cultural life and thereby to denationalise the people, has been demonstrated in the preceding chapters.

Any resistance of the Nation was to be suppressed in its beginnings by terrorism.

The most important exponents of this terrorism were the police and the criminal courts.

(1) Police Terrorism.

The arbitrary and brutal methods used by the national socialist police to terrorise the Czechoslovak people are too manifold to be described exhaustively.

One of the measures applied in all occupied countries was the taking of hostages and their execution.

Already before the outbreak of war thousands of Czech patriots especially Catholic and Protestant ministers, lawyers, doctors, teachers etc., were arrested. Moreover in every district persons were marked down to be taken as hostages on the first sign of any disturbance of "public order and security". At first there were just threats. In 1940 K.H.FRANK announced in a speech to the leaders of the "National Solidarity Movement" that two thousand Czech hostages, detained in concentration camps, would be shot unless prominent Czechs signed a declaration of loyalty.

Later, after the attempt on HEYDRICH, many of these hostages were executed.

Typical of the methods of the Nazi police terrorism was also the threat of reprisals against factory managers in case of any hold up of work. Thus late in 1939 the Gestapo summoned the managers and shop-stewards of various industrial firms and told them that they would be shot in case of strike. Before leaving they had to sign

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the following declaration: "I take note that I shall be immediately shot if the work in our factory stops without good reason."

Similarly school-masters were held responsible for the loyal behaviour of their pupils. Many teachers were arrested merely because boys of their school had been caught writing anti-German slogans on walls or reading black-listed books.

The carefully devised system of tortures applied at investigations by the German police especially by the Gestapo, is well known and needs, therefore, no further description.

But nothing was more appropriate to terrorise the people of the Republic than the threat of deportation to one of the infamous concentration camps. It hovered permanently over the whole population and was realised in many thousand instances.

(a) The Power of the Police.

The power to hand over every single citizen of the Czechoslovak Republic was vested in a police-network, spread over the whole territory of the Republic. It was up to this organisation to order "Protective Custody" (Schutzhaft) or "Preventive Custody" (Vorbeugende Polizeihaft), both of which led to internment in one of the concentration camps. In the so-called Protectorate of Bohemia and Moravia the right to order "Protective Custody" fell within the jurisdiction of the Staatspolizeileitstellen Prague and Brno, which had established branch offices ("Aussenstellen") in major towns of the "Protectorate".

Immediately subordinate to them in all political police matters (in matters of the Gestapo) were the "Oberla ndracte" (since the administration-reform of 1942 called "Inspekteure des Reichsprotektors"), the highest administrative officials in the Oberlandrat-Districts, in which the "Protectorate" was divided. The Oberlandraete controlled the District Police of their area (Kreispolizeibehoerden) and the Local Police (Ortspolizeibehoerden) subordinate to the latter - as well as the "Staatlichen Polizeiverwaltungen" (Polizeidirektionen), which

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were in charge - especially in larger towns - of the task of the District and Local Police.

The Staatspolizeileitstellen had to perform in their area the duties of the Gestapo and could use the services of the District and Local Police.

The duty of the Gestapo was above all "to prevent activities and endeavours inimical to Nation and State" (Werner Best, Die Deutsche Polizei, 1941, page 32 and 33). The Gestapo and their auxiliaries (District and Local Police) had to watch over the population and to track down the "activities and endeavours aiming at disturbing and destroying the National Order" (Best, op.cit., p.32 and 33). The observations of the Gestapo or the reports submitted to them by their auxiliaries caused eventually the application of the most important "Preventive Measure" at the Gestapo's disposal: The "Protective Custody".

The observing (spying) activities of the Gestapo must have had a distressing effect on the people. But compared with the spying activities of the "Sicherheitsdienst" (SD) it appears almost bearable. The "activities and endeavours" which fell within the scope of interest of the Gestapo were certainly not clearly defined. Still they were more or less palpable acts of individuals, they had to deal with. The sphere, however, covered by the SD spy-ring, was in no way limited: "They have politically to explore and investigate principally the operation and the interplay of the great 'weltanschauliche' arch-enemies of National Socialism and the German people in order to afford possibilities for their purposive and effective combat...." The SD has to watch over the activities of any antagonistic elements in all spheres of life of the German people and so keep the State and Party authorities informed" (Best, op. cit., page 46).

The duties of the "Sicherheitsdienst" were allotted in the "Protectorate" to the SD Leitabschnitt: Prague and its numerous branch offices in various places. This SD Leitabschnitt was, like every other, not a State Police authority, but an agency of the SS and, therefore,

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of the NSDAP which, however, had to support the Security Police in their work. A considerable part of the orders concerning "Protective Custody", issued by the Staatspolizeileitstellen was undoubtedly caused by their reports.

Immediately superior to the Staatspolizeileitstellen was the Commander of the Security Police (Befehlshaber der Sicherheitspolizei) who himself was subordinate to the Secretary of State (since. 1943 Deutscher Staatsminister) as Hoherer SS. and Polizeifuehrer and to the Reich Protektor on one hand and to the RSHA on the other.--

In Bohemia ("Land Boehmen") imposing of "Preventive Custody" (Vorbeugende Polizeihaft) was in the competence of the "Kriminalzentrale" in Prague, in Moravia ("Land Maehren") it belonged to that of the Police Headquarters (Polizeidirektion) - C.I.D. (Kriminalabteilung) in Brno.

The Kriminalzentrale has to perform in their area the duties of the criminal police, which cannot be discharged by the District of Local Police. They supervise the District and Local Police (in towns where there exist State Police Administrations (Staatliche Polizeiverwaltungen) their respective C.I.D.s) in the execution of their criminal-police duties.

Part of the criminal-police duties is the so-called prevention of crimes. The most important preventive means at the disposal of the criminal police is the "Preventive Custody". The Kriminalzentrale too and its subordinate District and Local Police authorities are charged with the close supervision of the population. They have to concern themselves with "acts and endeavours endangering the national order, which do not spring out of political motives". With "crimes in a broad sense of the word", not only with acts and ommissions to be tried by criminal courts. (Best, op. cit., p.32 and 33). Their investigations covered a field much wider than the usual sphere of interest of a criminal police and led in case of observations not sufficient for a trial before a criminal court to "Preventive Custody".

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The Kriminalzentrale too was directly subordinate to the Commander of the Security Police and indirectly to the authorities superior to him.

The framework and the tasks of the Police in the "Defence Area" (Wehrkreis) Bohemia and Moravia ("Protectorate") do not differ essentially from those of the police in those parts of the Republic which belonged to other "Defence Areas".

The terror spread by the police organisation built up during the occupation is mainly based on three factors:

(1) on the volume of the organisation, its wide sphere of interest and the intensity of their activities;

(2) on its absolute power and

(3) the abuse of this power.

A police organisation which reached the last hamlet, which had to take interest in every detail of the public and private life of every citizen of the Republic and which in fact closely watched every individual, was bound to be a source of uneasiness for the entire population. And this uneasiness had to reach terror when it depended on the arbitrariness of this police to order the deportation to a place like a concentration camp.

There is no legal basis either for the "Protective" or for the "Preventive Custody". The stipulation of the reasons for which they may be ordered in general or in particular was left entirely to the police. Dr. Werner Best, SS Brigadefuehrer and German Minister in Denmark has frankly admitted this: "An express authorisation of the police for the interference with the individual necessary for the prevention of crimes is missing. These measures are, nevertheless, not imposed without or contrary to the law. For according to the national conception of law the order given to the police by the leaders of Nation and State to carry out comprehensive measures for the combat of crimes has created the rule to which the police as well as the

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individual have to adjust themselves... The order to the police to impose all measures necessary for the prevention of crimes compels at the same time the individual "Volksgenossen" to co-operate actively or passively in those measures; passively co-operates the criminal taken into preventive custody. This is the legal basis for the police on which they carry out the measures for the prevention of crimes...." ....."That, in accordance with this order, it has thus been proceeded with the consent of the highest authorities of the Reich for such length of time, proves that this order has become part of the police law valid at present in the German Reich" (Best, op. cit., p.37 and 38).

The Ordinance of 9th March 1942 (Slg.No.89 (Annex 4) deals with the imposing of "Preventive Custody" in the "Protectorate". It enumerates in § 6 the reasons for which this type of custody may be ordered. They are, however, of such general nature, that they do not actually restrict the police in any way. In other words it is in spite of this Ordinance, left entirely to the arbitrariness of the police to stipulate the reasons for ordering "Preventive Custody".

The experiences of Czechoslovak nationals in concentration camps are shared by all victims of the German Police. They may, therefore, only be stated briefly.

(b) Concentration Camps.

The number of these horror-camps in greater Germany has been estimated at various times during the years since 1939 to total anything up to about 30 to 75.

In all these camps Czechoslovak nationals may have been detained at least temporarily. Of the following camps, however, it is known that Czech prisoners were kept there regularly:

Auschwitz (Oswiecim) and Birkenau
Belzen
Buchenwald
Dachau
Flossenburg
Lublin

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Majdanek
Mauthausen
Natzweiler
Neuengamme-Hamburg
Oranienburg-Sachsenhausen
Ravensbrueck

The concentration camp at Terezín (Theresienstadt) was established as a Ghetto especially for Jews from Bohemia and Moravia. From Terezín regular transports were despatched to the extermination camps in Poland, especially Auschwitz-Birkenau.

A common pattern of crimes committed therein and in the concentration camps may be established:

Murder and Massacres.

(1) The inhuman conditions of the mere transport of the deportees necessarily caused a high death rate.

(2) Many prisoners were executed by hanging or by firing squads.

(3) Patients were killed by intracardial phenol injections.

(4) Prisoners were shot on the spot for having "attempted to escape" and often just out of pure spite of an SS man, or because the machine-gunners in the watch towers wanted to have a change while passing their time.

(5) Children born in the camp were torn from their mothers by SS men and put to death.

(6) While doing forced labour many prisoners were beaten to death by the over-seers without the slightest provocation.

(7) Prisoners were used as "guinea pigs" and succumbed to the experiments carried out on them.

(8) Many prisoners died from starvation deliberately imposed upon them.

(9) Most of the cases of "natural death" were murder caused by the appalling camp conditions which necessarily led to fatal diseases.

(10) Some concentration camps such as Oswiecim-Birkenau, had gas-chambers as large-scale extermination devices. Parts of the arriving transports were sent straight away to the gas-chambers. "Selections"

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took place among the inmates of the camps twice weekly. The "selectees" were loaded into trucks, brought to the gas-chambers and gassed, while the dead and dying were taken directly to the furnaces.

(11) It often happened that small children were thrown alive into the trucks along with the dead and then burned.

(12) There were mass suicides.

The Germans put to industrial use hair clipped from the heads of hundreds of thousands of women who were to be murdered. Unburnt bones were used for industrial production of superphosphate.

Tortures.

(1) Flogging, whipping, tormenting physical exercises, the "pillar" (suspension of prisoners by their arms bound behind the back), and all other infamous sadistic Nazi savageries were used.

(2) Prisoners were used as "guinea pigs" for scientific experiments.

(3) Tormenting roll-calls lasting at least 1 hour in all weather conditions.

(4) Incoming prisoners were tattooed with numbers on their breasts or fore-arms.

Deliberate Starvation.

Starvation rations or valueless food were allocated to the prisoners. No actual food shortage justified the starvation rations, Germany having the loot of Europe at her disposal.

Imprisonment under appalling sanitary conditions.

(1) The camp conditions were appalling; there was a serious shortage of water, no drainage system and not even the most elementary hygienic installations.

(2) Working conditions were inconceivably hard.

(3) No measures were taken to prevent the spreading of infectious diseases.

(4) In case of illness none - or entirely inadequate treatment was provided for.

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Forced Labour in Connection with Military Operations of the Enemy.

In most of the concentration camps extensive work was done for the German war effort. At Oswiecim-Birkenau for instance, prisoners worked in the war production plant "Deutsche Aufruestungswerke" (DAW) in a factory belonging to the Krupp works, in the tremendous plant for synthetic rubber "Buna", in the Schultz establishment for war industry and a group of internees was occupied with unloading bombs.

Robbery.

Upon arrival deportees were immediately deprived of all their belongings. On the territory of Oswiecim camp, e.g. there were 35 special store houses where all the loot was sorted and packed to be sent to Germany.

No figure about the total of prisoners in all concentration camps is available. The numbers of inmates varied in each concentration camp from time to time. Some concentration camps changed their status for some periods, sometimes their operations were temporarily suspended. The transfer of prisoners from one concentration camp to another, especially transports from normal concentration camps to those with extermination devices (gas-chambers) caused overlapping of figures. Incoming prisoners stripped of their clothes were at the same time stripped of their individual personalities and became mere numbers, which were tattooed on their bodies. How to trace the millions gassed or burnt?

It is for the time being not yet possible to ascertain how many Czechoslovak nationals were arrested by the police, imprisoned at first in one of the police gaols and later deported to a concentration camp.

Neither is it at present possible to state, at least approximately, the number of those who fell victim to the ill-treatment of the police or perished in the police gaols or concentration camps.

It is, for instance, impossible to indicate how many persons passed through the Gestapo prison in Prague - Pankrác. We only

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know that in the last six months before the liberation of the Republic there were some 6,000 people a month and during the State of Civil Emergency declared on May 27th 1942, some 50,000 a month.

About 200,000 persons passed through the Gestapo prison in Brno during the years of occupation. Some 30,000 were released; the others, as far as they were not tortured to death or killed straight away, were put into a concentration camp.

The number of those who were killed or died during their imprisonment by the police cannot be estimated. We know e.g. that on an average 5 persons a day were beaten to death in the Gestapo prison in Prague - Pankrác; during HEYDRICH's terror-régime and during the months following his death at least 10. To these must be added 1,078 persons, who were strangled in the so-called guillotine shed.

Some 20,000 were tortured to death or otherwise killed in the Gestapo prison in Brno.

The executions ordered by the "Standgerichte" (which will be dealt with below) were in the hands of the Gestapo as obviously were the "Standgerichte" themselves. Apart from these executions the investigations have so far brought to light the following list of victims at some of the Gestapo headquarters.

Gestapo Headquarters.	Shot.	Beaten to death.	Death from unspecified causes.
Prague - (Petschek Palais)	-	50	500
Kladno	-	50	2,300-3,000
Jičín	161	-	70
Klatovy	79	-	6
Plzeň	42	-	-
Hradec Králové	85	1	4
Tábor	1	1	7
Kolín	4	9	3
České Budějovice	4	-	-

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When the Buchenwald concentration camp was liberated by the Americans in April 1945, 2,662 Czechoslovak prisoners were found still alive.

In the concentration camp Oswiecim nearly 60,000 Czechoslovak nationals were prisoners in the period between April 1942 and April 1944.

A report of October 1943 about Dachau concentration camp puts the number of Czechoslovak nationals at 1,500. Perhaps the figure given in that report for October 1943 about the other nationalities may convey a picture of the proportion of Czech nationals valid for other times:

Germans:	400 political
	1,000 "Berufsverbrecher"
	800 Workshy, anti-social and Bible Students.
Other nationalities:	400 Belgians
	500 Frenchmen
	300 Dutch
	300 Norwegians
	1,500 Czechs
	800 Catholic Priests of various nationalities.
	6,000 or more Poles and Russians.

Some 2,200 relatives of persons who took refuge mainly in Great Britain were deported to the concentration camp at Svatobořice in Moravia and remained there during the whole time of occupation.

2. Criminal Courts.

(a) The People's Court (Volksgerichtehof)

The Czechoslovak Republic was, as pointed out in previous parts of this report, not only occupied, but entirely annexed by the German Reich. Especially the Decree of 16.3.1939 (RGBl.I,p.485) (Annex 1) only insufficiently veils the fact that it orders the annexation of those parts of the Republic which remained unoccupied after the dictate of Munich.

The resistance of the Czechoslovak People against this annexation was fought by various means. The People's Court was one of the

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instances which was charged with the suppression of all even the most insignificant activities aiming at the liquidation of this state of affairs created in violation of international law.

The People's Court was created by enactment of 24.4.1934 (RGBl.I, p.341). By Article III, para 1 of this enactment it was charged with the trying of "High Treason" (Hochverrat) and "Treason to the Country" (Landesverrat). By the Ordinance of 14.4.1939 (RGBl. I, p.752) (Annex 5) signed by the then Reich Minister of Justice, Dr. GURTNER, and on behalf of the Reich Minister of Interior by PFUNDNER, its jurisdiction was extended to the "Protectorate".

Para 5 of the Ordinance of 21.2.1940 (RGBl. I, p.405) and of 29.1.43 (RGBl. I, p.76) respectively (Annex 6) which became valid in the territory of the Republic as well, considerably increased the scope of its jurisdiction; nevertheless it remained in practice a court mainly concerned with "High Treason" and "Treason to the Country" (Landesverrat).

The number of Czechoslovak citizens sentenced to death by this Court during the occupation is so far only partly known. Investigations carried out up to now brought to light 445 death sentences alone, which were executed without exception.

More than one reason can be shown that the German Reich did not acquire by her illegal occupation of the Czechoslovak Republic the rights due to a belligerent power occupying enemy territory during the war. In this report, however, we are going to deal exclusively with that part of the activities of the German courts in Czechoslovakia, the illegality of which is indisputable. We restrict ourselves, therefore, to that part of their activities which are beyond the rights connected with the occupatio bellica.

An examination of the sentences passed by the People's Court shows again and again that even the most insignificant act which certainly could not endanger the military security of the German Reich or other

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"legitimate interests of the occupying power", was considered a crime and punished with death. That taking up of mere trifles and their inhuman judgment explains to a great extent the great number of death sentences passed by the People's Court.

We do not think that, as said before, the German Reich could claim in Czechoslovakia the rights which international law concedes to belligerents occupying enemy territory, but wish to deal in this report only with the jurisdiction, which would be illegal even if the German Reich had those rights.

The occupant of enemy territory may be entitled to demand from the inhabitants of the occupied territory to abstain from taking up a hostile attitude against him and to submit willingly to his legitimate commands and he may be entitled to punish them severely if they do not comply with this command. To avoid disputable points we do not propose to examine if the People's Court did not even go beyond these wide limits.

Indisputably illegal are, however, the sentences passed by the People's Court on High Treason. And not merely because High Treason can only be committed by persons owing allegiance. The People's Court had more than once qualified and punished with death acts of Czechoslovak citizens, which aimed solely at the removal of the state created by the annexation of the Republic and did not interfere with the "legitimate" interests of the occupying power.

It is quite clear that the German criminal legislation was not entitled to protect a state illegally created - as that created by the annexation - and that a jurisdiction, which draconically punishes an activity aiming at the removal of this state, does not find any basis in international law.

The sentences passed by the People's Court on High Treason which punished Czechoslovak citizens in exceptional cases with many years

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of penal servitude, as a rule with death, are to be considered, as the case may be, as "Illegal Restriction of Personal Liberty" or as "Murder".

(b) Special Courts.

The jurisdiction of the Special Courts was considerably more diverse and extensive than that of the People's Court and the terrorism emanating from them incomparably more intensive.

The Special Courts were established by the Ordinance of February 21st 1940 (RGBl.I,p.405 and RGBl. ex 1943, I, p.76 respectively) (Annex 6). In Germany proper and in the territories annexed by Germany during this war one or more were set up in the district of every High Court (Oberlandesgericht); five in the territory of the Czechoslovak Republic.

The jurisdiction of the Special Courts is defined in §§ 13 and 14 of the quoted Ordinance. § 13 enumerates the offences which fall exclusively within the jurisdiction of the Special Courts. Their number was considerably increased by later Ordinances. Without going into detail, they are mainly offences against the régime of the occupying power, its military institutions and its political organisations in the "Protectorate" and the members of these organisations. § 14 of the same Ordinance moreover leaves it to the discretion of the public prosecution to bring before the Special Court any other offence.

The procedure of the Special Courts corresponds on the whole with a procedure which is called in the law of all nations a summary one. It dispenses with a preliminary investigation (§ 21 of the Ordinance of February 21st, 1940); it is to be conducted with the greatest possible expediency (§§ 22, 23 and 24 of the same Ordinance); and finally, there lies no appeal against the sentence of the Special Courts (§ 26 of the Ordinance).

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The Czechoslovak law like the law of other European nations allows the trial of crimes in summary courts only as an exception. Only in case of danger to the State from outside and under extraordinary conditions of similar importance the suspension of the ordinary criminal procedure and the transfer of the jurisdiction over certain crimes to summary courts may be justified. It was left to the German legislation to set up in the territory of the Republic summary criminal courts as permanent institutions and moreover to transfer to them the greater part of the jurisdiction in criminal matters, certainly the most important one.

The competence of the Special Courts and the provisions to be applied by them are laid down in a great number of ordinances and decrees. And a great number of these ordinances and decrees violate principles considered irrevocable by all civilised nations.

Again and again we see that they disregard the principle nullum crimen - nulla poena sine lege. Thus the "Ordinance Against Violent Criminals" dated December 5th, 1939 (RGBl. I, p.2378) (Annex 7) provides the death penalty for offences which, up to its coming into force, were punished by imprisonment and lays down its retrospective force in § 5.

More or less common to all provisions administered by the Special Courts is, however, that their threats of penalties are in no reasonable proportion whatsoever to the offence; all of them are barbarously excessive.

To quote a few instances only:

According to § 2 of the Ordinance against Destructive Elements, dated September 5th, 1939 (RGBl. I, p.1679) (Annex 8) not only every felony but also every misdemeanour committed by abusing the regulations necessary for protection against air raids, may be punished by death. Minor thefts during the black-out are the offences, which mostly caused this brutal threat to be put into practice.

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No less excessive are the sentences which were passed pursuant to the Ordinance concerning Special Regulations on Broadcasting, dated September 1st,1939 (RGBl.I, p.1683 - V.Bl.R.Prot.p.129) (Annex 9) in particular to § 2 of the Ordinance: "Whoever deliberately spreads news which is apt to endanger the power of resistance of the German people, will be punished with penal servitude - in particular serious cases, with death". Here too the Special Courts considered most of the cases brought before them, "particularly serious" ones, and passed the death sentence.

Perhaps the most excessive provision applied by the Special Courts is contained in the Ordinance of the Reichsprotektor of Bohemia and Moravia on the Defence against Support of Acts Hostile to the Reich, dated July 3rd 1942 (V.Bl.R.Prot., p.182) (Annex 10). Remarkably enough this Ordinance is so-called "Gebietssonderrecht" that is to say it did not take effect in the German Reich, but only in the "Protectorate". Pursuant to § 1 (1) of this Ordinance"anyone who gives lodgings or any other help to a person whom he knows or according to the circumstances can assume that he or she is engaged in an act hostile to the Reich, or who omits to notify the authorities in time" is to be punished by death. According to § 1 (2) "circumstances in the meaning of § 1 (1) are given especially in case the perpetrator is aware of the fact that the person concerned is not registered with the police contrary to the existing regulation, or does not possess a valid Identity Card".

It is, of course, quite comprehensible that the deliberate support of a person who is "engaged in an act hostile to the Reich" is severely punished. However, only in glancing through the Ordinance dated July 3rd 1942 is one given the impression that it does not intend anything else. In fact, lodging of a person who "is not registered with the police contrary to the existing regulation, or does not possess a valid Identity Card" is under certain circumstances, already punishable with death. - Solely from the fact that a person is not duly registered with the police

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authorities or does not possess Identity papers, it must be deduced, pursuant to § 1 of the Ordinance, that this person is party to an enterprise hostile to the Reich. Was he in fact party to such an enterprise, the Special Court has not to examine the question at all whether the persons who gave him lodging knew of that enterprise. That knowledge has, pursuant to the more than daring assumption of § 1, to be presupposed and, without admitting or considering any evidence as to the incorrectness of that assumption, a death sentence has to be pronounced.

No provision was applied more often by the Special Courts than § 4 of the Ordinance against Destructive Elements (Annex 8), which lays down that "whoever, deliberately abusing the extraordinary conditions created by the war, commits some other offence will, in excess of the ordinary maximum penalty, be sentenced to penal servitude up to 15 years, for life, or to death, if the sound popular feeling (gesunde Volksempfinden) calls for it because of the particular heinousness of the offence". As "other crimes" were considered amongst others all, even the slightest, infringements against the numerous emergency regulations concerning economic control (Kriegswirtschafts-Verordnungen). A great part of the sentences passed by the Special Courts are death sentences against butchers who may have sold but small quantities of meat "under the counter", against bakers who supplied individual customers with bread off the ration; death sentences for selling cloth, cigarettes etc., on the black market, for every - even an occasional and insignificant overcharge of the controlled ceiling prices.

These sentences too appear criminal on account of their excessiveness. Moreover they are not jurisdiction but terrorism because the penalties they pronounced were not prescribed by the law, but decided upon arbitrarily by the judge.

§ 4 of the quoted Ordinance deals as follows from its wording, only with acts which had been declared punishable before, it does not, however, in any way restrict the judge with regard to the penalty to

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be imposed. § 4 is mostly concerned with offences which, before the validity of the Ordinance against destructive elements, were fined or punished with imprisonment lasting a few days, or weeks at most. Now it was up to the judge to examine first of all whether, in view of the "particular heinousness" of the deed "the sound popular feeling" asks that the "ordinary maximum penalty" should be exceeded. As the "sound popular feeling" is not a certain fact which can be established, there is no reliable standard to help to decide whether it is necessary in an individual case, to exceed the ordinary maximum penalty. The decision is therefore, solely left to the arbitrariness of the judge. Should he consider that in view of the "sound popular feeling" the "ordinary maximum penalty" is to be exceeded, the duration of the penal servitude is again left to his arbitrariness. He can impose the shortest possible one but in each case, penal servitude for life as well. And he can eventually pass - also according to his own discretion - a death sentence in each case.

The number of sentences passed pursuant to these or similar provisions could so far be ascertained very incompletely only. The investigations carried out up to now, which cover the period up to and including the first half of 1943, have revealed 704 death sentences alone, which were executed without exception.

We have shown that the German Police had the power to commit arbitrarily anybody to a concentration camp, i.e. to death. It is almost incomprehensible why the Third Reich was not satisfied with this one instrument of terrorism, but in addition unleashed the criminal courts and - relieving them from all legal barriers - empowered them to impose in every case brought before them an entirely inappropriate penalty or even death. - The horrors of the concentration camps were divulged for years by so-called whisper-propaganda (Fluesterpropaganda) probably fostered, certainly welcomed by the Nazis as fitting well into their system of spreading terror. At the same time this whisper-propaganda

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was draconically punished as "atrocity-propaganda" (Greuel propaganda). Possibly the Nazis thought it an advantage to demonstrate in the full light of publicity some of their brutal methods - again for the purpose of spreading terror. The atrocities committed by the courts may have been surpassed by those of the SS, their essential and distinguishing feature is their publicity.

3. The "State of Civil Emergency" (Ziviler Ausnahmezustand).

The methods of terrorism described so far were applied with unremitting severity during the whole time of occupation. They were part of the routine of the German administration in Czechoslovakia. But even these methods which could hardly be surpassed in brutality did not always satisfy the Germans.

The possibility to step up the usual terrorism - at least occasionally - was provided by the Ordinance concerning the Declaration of a State of Civil Emergency issued by the Reich Protector in Bohemia and Moravia on 27.9.41 (P.Bl.R.Prot. p.527) (Annex 11).

As early as Summer 1941 there could be no longer any doubt of a considerable decline in the war production of the Republic. In the main armament factories of the country, output declined by about a third in August, and there is every reason to believe that the decline was even greater in September. In certain coalmines the output fell as much as 65%. Apart from the unfavourable development of industrial production the German authorities were concerned about difficulties that had arisen in the traffic through the "Protectorate". The general deterioration of railway stock and trucks alone were sufficient to produce the series of accidents and delays which had occurred lately on the overburdened lines, but there is reason to believe that railwaymen did their best to accentuate the inefficiency of the over-strained railway system. When eventually in the second half of

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September the underground Czech national revolutionary committee, with the assistance of the B.B.C., launched a very successful boycott campaign against the German-controlled press the German authorities took the opportunity to strike a heavy blow against the Czechoslovak people.

On September 27th, 1941, Radio Prague broadcast the following news: "Reich Minister Baron von NEURATH, the Reich Protector of Bohemia-Moravia, found it necessary to ask the Fuehrer for a long leave to restore his undermined health.

"In view of the fact that the present time of war makes demands on the full attention of the Reich Protector Baron von NEURATH, at the same time requested the Fuehrer to relieve him temporarily of his office as Reich Protector until his health would be restored, and to appoint a deputy for that period.

"In these circumstances the Fuehrer acceded to the request of the Reich Protector and entrusted SS. Obergruppenfuehrer HEYDRICH with the conduct of the office of Reich Protector in Bohemia and Moravia for the duration of the illness of Reich Minister von NEURATH."

Reinhard HEYDRICH had already arrived on September 26th, 1941 in Prague accompanied by sixtytwo officers of his police and espionage apparatus. On September 28th the Ordinance concerning the Declaration of a State of Civil Emergency dated September 27th, 1941, was issued with his signature.

The Ordinance empowers the Reich Protector to declare a state of civil emergency throughout the whole territory of the Protectorate of Bohemia and Moravia, or in separate districts (Sec. 1 of the Ordinance).

The most important consequence of a declaration of a State of Civil Emergency is the transfer of a considerable part of the jurisdiction on criminal matters to so-called "Standgerichte" (Sec. 3 of the Ordinance).

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Of the greatest significance is finally the provision that during a state of civil emergency deviations from the law in force may be made when introducing and carrying out measures for the preservation or restoration of public security and order (Sec. 2, para 1 of the Ordinance).

(a) The State of Civil Emergency, Sept. 28,1941 - Jan. 19, 1942.

The authorisation to declare a state of civil emergency was used as early as September 28, 1941. By Decree of the same day (Annex 12) signed by HEYDRICH the state of civil emergency was declared for the districts of the "Oberlandrat" in Prague, Brno among others, and a few days later (Annex 13 and 14) in most of the remaining part of the "Protectorate".

The "Standgerichte" set up simultaneously, which acted throughout the whole period, passed 778 death sentences (all were executed) and handed over more than 1,000 persons to the Gestapo i.e. concentration camp. These figures rest on investigations carried out up to now. The actual figures may be much higher.

The only rules regulating the institution, composition and procedure of the "Standgerichte" are to be found in the Ordinance of September 27th, 1941 (V.Bl. R.Prot. p. 527).

It does not in any way restrict the power of the Reich Protector to declare a state of civil emergency, in other words, such a declaration which implies the transfer of a considerable part of the jurisdiction in criminal matters to "Standgerichte" is not dependent on legal premises. All is left to the discretion and arbitrary decision of the Reich Protector.

The Ordinance does not state either on whom the office of a Judge in these "Standgerichte" may be conferred, whether the Judges in the "Standgerichte" are to be professional or non-professional Judges and whether sentences are to be passed by a Bench or by a single Judge. The Ordinance merely says: "Standgerichte" will be set up by the

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Reich Protector. It is for him to choose the persons who are to function as Judges. As his selection is in no way restricted, he may choose professional Judges; but should he consider it more expedient, he may nominate exclusively non-professionals. Whether they have to function as single Judges or as a Bench is again left entirely to the discretion of the Reich Protector.

According to the information we possess at the moment, the Judges designated for these "Standgerichte" were only in exceptional cases - if ever - professional Judges. As a rule, knowledge of the law was not the decisive factor in the selection. Political reliability was the quality most sought after. That is why the Judges were, we can say, without exception, members and mostly executives of the NSDAP or of the various other National Socialist Organisations, that is to say, men who - with a few exceptions - had not the slightest knowledge of law, or experience in conducting criminal proceedings. According to our information the proceedings under "Standrecht" were regularly carried out by a Bench (not always of the same size), composed of insufficiently qualified persons.

It is obvious that the activity of such a Bench hardly merits the name of jurisdiction.

The legislator had obviously both anticipated and desired this inadequacy of the "Standgerichte". What else can have been the reason for not allowing the accused to reject a Judge? Why was it that a Judge was denied the possibility to withdraw from a case even if, for reasons of a general or special character, he felt unfitted for the task? The aim of this inadequacy was obviously to prevent discussions which would have constantly shown that the Judges selected by the Reich Protector were incapable of fulfilling their duties.

The Ordinance of September 27th, 1941 does not grant the accused the right to reject a Judge. It does not even give the Judge

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the possibility of declaring himself prejudiced and suggesting the appointment of another Judge. In short, it opens the way for a sentence to be passed by Judges who are not even unprejudiced.

The procedure of the "Standgerichte" is a summary one. It should lead to an immediate decision. One cannot, evidently, submit all cases of a certain type to such a procedure. It should be applied only in cases where the guilt of the accused can be proved without difficulty. In general, it is possible to prove the guilt of a person caught in the very act without any circumstantial procedure. It will probably be possible in many other instances to obtain without difficulty a clear idea of the guilt of the accused. But, on the other hand, there will frequently be cases which are much more complicated than others of the same category. And if they too are tried by a summary procedure, then the reliability of the decision will be intolerably reduced.

Section 3, § 2 of the Ordinance of September 27th, 1941 enumerates the offences falling within the jurisdiction of the "Standgerichte". The Ordinance does not contain any clause providing that cases which cannot be dealt with satisfactorily by a summary procedure, owing to their complexity, must be transferred to regular tribunals.

Section 3, § 4 of the Ordinance states that the Reich Protector can withdraw exceptional cases from the "Standgerichte" and submit them to the People's Court (Volksgerichtshof). Nobody acquainted with the spirit of the National Socialist legislation will believe that this provision of the Ordinance aims at protecting the rights of the accused. This strange provision, enabling an administrative official to decide which tribunal is competent to try a certain criminal case, is clearly inserted in the interest of the régime only. It provides chiefly for important and dangerous cases of high treason, which call for close investigation. Such an investigation cannot be expected from summary

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Courts, certainly not from "Standgerichte".

According to the standards recognised by all civilised nations, a summary procedure is adequate neither for every criminal case, nor for every person. Dangerously ill and pregnant persons, for example, will not be able to put forward a serious defence against a charge before a "Standgericht". They should be tried by regular tribunals only; otherwise the proceedings would be degraded to the level of a farce. But all considerations of this kind are ignored by the Ordinance of September 27th, 1941. It compels the taking of proceedings under "Standrecht" in the case of any person, without exception, who is suspected of one of the actions specified in Section 3, § 2.

A still more obvious restriction of the rights of defence is the fact that in proceedings - above all in summary proceedings - which can only end in a death sentence (or acquittal), the accused is not represented by Counsel. The Ordinance of September 27th, 1941 does not provide for the employment of Counsel at a trial; and in practice - according to the information we possess - trials were regularly held, and sentences were passed, without the participation of Counsel.

The Ordinance of September 27th, 1941 does not contain any rules governing the procedure at a trial. It is left to the Judges to lay them down. As already mentioned, the Judges, with a few exceptions, had no knowledge of law and the majority of them no experience whatever of the conduct of criminal proceedings. It is, therefore, not astonishing that trials before a "Standgericht" had no resemblance to what is called a trial in civilised systems of law. In other words - trials before "Standgerichte" have been conducted in a way which would not have enabled even learned and experienced Judges to gain a clear picture of the facts.

Any control of the trial or of the sentence, either by the

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presence of the public or by a Court of Appeal, is excluded by the Ordinance of September 27th, 1941.

"Standgerichte" have never sat in public. As there were - at least in most of the cases - no serious reasons (certainly none in the general view) for holding the trial in camera, we find here again, a flagrant infringement of the principles maintained by the law of all civilised nations. And this infringement of a generally recognised principle, has obviously no other aim than to terrorise the inhabitants of the occupied territory. They are threatened by a criminal procedure which nobody has witnessed, which no one knows for certain; and nobody can ascertain what actions in particular are punishable. As the public was not admitted to the proceedings of the "Standgerichte", the mere existence of these "tribunals" increased the insecurity under the existing law.

There was no appeal against the sentences passed by the "Standgerichte" (Sec. 4, § 3 of the Ordinance).

The records of a trial before the "Standgerichte" contain simply the names of the Judges, the condemned, and the witnesses, as well as the crime and the date of the sentence (Sec. 4, § 2 of the Ordinance). Provisions which allow of such incomplete records and even prescribe them, can only have one object: to prevent all control, by concealing what has taken place during the trial so as to efface all traces of what has been done.

According to Section 4,§ 1 of the Ordinance, "Standgerichte" can only pass a sentence of death or deliver the accused to the Secret State Police. The Ordinance does not indicate which of these two punishments is to be considered as the milder one. The "Standgerichte" have, apparently, hardly ever made use of the third possibility, acquittal, mentioned in Section 4, § 1. That was certainly the intention of the "legislator", to whom the idea of acquittal was so remote that he omitted to order the keeping of a

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record (even in outline) for such a case. (Compare Section 4, § 2 of the Ordinance which only mentions a "condemned" and not an "accused".

Sentences delivered by "Standgerichte" have to be executed immediately (Section 4, § 3 of the Ordinance). Numerous experiences have shown that the brutal National Socialist legislation has never been attenuated in practice. At the end of the so-called trial, it is left to the Judges to decide whether the condemned is to be shot or hanged (Section 4, § 3 of the Ordinance). Not even a short delay to prepare himself for death is granted to a condemned person. Pardon does not come under consideration in the Ordinance. In any case, the brutal haste with which the sentences of the "Standgerichte" were executed, made it impossible.

To sum up it may be said:

The wholly inadequate qualifications of the Judges and the impossibility of rejecting even an obviously prejudiced Judge, make it questionable whether the institution we are discussing is one which, measured by the standard of civilised nations, can be described as a "court".

And do the proceedings before the "Standgerichte" merit the name "trial" ? To recapitulate the main points: we have already referred to the exclusion of the public. The restriction of the rights of the defence is a worse feature. Even an experienced Counsel would have found little opportunity for exercising his role at these entirely irregular trials. But that little opportunity too, was withheld from the accused.

There is no rule which provides that the accused must be represented by Counsel at a trial before the "Standgerichte"; and in practice, according to our information, accused persons have never been so represented.

It may be difficult to define the conditions which are essential to enable an institution to possess the character of a

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tribunal. It may also be difficult to state the principles which must be observed to enable proceedings before a criminal court to be called a trial. We are, however, not concerned here with a borderline case. It is evident that the "Standgerichte" lacked almost every quality which, according to general opinion, a tribunal ought to possess; and that the trials before these "Courts" offended practically against every principle which has to be respected under the laws of all civilised nations. The "Standgerichte" can certainly not be considered as tribunals, nor their proceedings as trials and sentences.

Executions carrying out the "sentences" of the "Standgerichte" do not differ in any way from executions without trial. They must be qualified as murder.

It is impossible, in the provisions which regulate the proceedings before the "Standgerichte", to discover the least vestige of humanity. The rule, for instance, which requires the sentence to be executed immediately, and the practice which does not grant the condemned man even a brief respite to prepare himself for death, is a form of brutality which, like the whole institution of the "Standgerichte" aims at terrorising the population.

(b) <u>The State of Civil Emergency, May 27th.1942 - July 3rd. 1942.</u>

On May 27th, 1942 Czech patriots made an attempt on the life of the Deputy Reich Protector R. HEYDRICH. HEYDRICH, with whose name the wave of brutal oppression started on September 27th, 1941, and directed against the resistance movement in Czechoslovakia is closely connected, was mortally wounded and died from his wounds on June 4th, 1942.

The punishment of HEYDRICH by members of the Czechoslovak underground movement approved not only by the Czech people but also by the whole civilised world, opened a new chapter of terrorism, if possible more intensive, inhuman and ruthless than ever before.

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With the Proclamation of May 27th, 1942 (V.Bl.R.Prot.,p.123) signed by K.H.FRANK for the Reich Protector (Annex 15) a State of Civil Emergency was brought into force (for the second time) throughout the whole Protectorate of Bohemia and Moravia. Again the ill-famed "Standgerichte" were set up. The time of their activity could not yet be reliably ascertained. The State of Civil Emergency declared on May 27th, 1942, was lifted by Decree of the Deputy Reich Protector DALUEGE on July 3rd, 1942 (V.Bl.R.Prot. p.181) (Annex 16). The same Decree provided, however, that the "Standgerichte" should remain competent for the trial of criminal offences committed in close connection with the attack against SS Obergruppenfuehrer HEYDRICH".

According to the evidence at the disposal of the Czechoslovak Government more than 1,450 death sentences were passed by these "Standgerichte" (established on May 27th, 1942). These are the facts available at the present time. The number of death sentences and executions is probably much higher. About the number of those who were handed over to concentration camps by these "Standgerichte" we know nothing.

For the "Standgerichte" set up on May 27th, 1942 the same can be said as for those established on September 28th, 1941. Their composition and procedure is the same. They too cannot be considered as "courts" and their proceedings not as "trials" and "sentences". They too are easily recognised as mere instruments of terrorism.

The "Standgerichte" set up on May 27th, 1942 were as well, according to Section 3, § 2 of the Ordinance of September 27th, 1941, competent to pass sentences for all acts disturbing or endangering public order and security, economic life or peaceful work and all violations of the special orders issued under the extraordinary powers provided in Section 2 of the Ordinance of September 27th, 1941. It is these last mentioned "special orders" which have to be dealt with especially. They belong to the measures which pursuant to Section 2

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of the quoted Ordinance may deviate from the law in force. Orders of this kind characterise the State of Civil Emergency dealt with here (The State of Civil Emergency from May 27th, 1942 - July 3rd 1942). The Decree of 27.5.42 (V.Bl.R.Prot.p.123) (Annex 15) states that not only all those who have sheltered or helped a person who took part in the attempt upon HEYDRICH will be punished with death. It adds: "they will be shot together with their family".

In this connection we have also to mention the Decree of 28.5.42 (Annex 17) according to which, persons who have reached the age of 15 will be punished with death if they do not fulfil their obligation to register as ordered by the same decree. Both Decrees represent an open offence against the principle on which the criminal law of all civilised nations is based, against the self-evident demand of justice that punishment may only follow guilt.

According to the Decree of May 27th, 1942 the family will be shot even when they do not bear any responsibility for the sheltering of the person mentioned in the Decree and even if they were ignorant of it. The "Standgerichte" which have to put this Decree into practice have not to consider the guilt of the family. Should they consider it as proved, that a person has infringed the decree, they have to sentence to death not only this person, but also his or her whole family.

An offence against the same principle is the passing of death sentences on juveniles (persons having "reached their 15th year of age"). For it is generally acknowledged that only persons having reached their full maturity can be charged with responsibility justifying the death sentence.

Both Decrees further threaten with death, amongst others, the omission to denounce, and even such minor offences as the omission to register. This is opposed to the generally recognised rule that the punishment should be in reasonable proportion to the guilt.

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These and other not less barbarous provisions were applied by the "Standgerichte" in a number of cases not yet established.

How little these "Standgerichte" served a genuine jurisdiction but were mere machines for producing a vast number of death sentences has been told by K.H.FRANK. Interrogated by a Czechoslovak investigation officer, he stated: "In June 1942, a personal order of HITLER's was transmitted to me by telephone by HITLER to execute 30,000 to 40,000 Czechs, suspected of political activities, as a reprisal for the assassination of HEYDRICH."

One is led to assume that HITLER ordered 30,000 or 40,000 death sentences of the "Standgerichte". Or did he suggest the execution of 30,000 - 40,000 Czechs without trial? Even a measure of this kind could have been based on Section 2 of the Ordinance of 27.9.1941. FRANK alleged that he succeeded by an immediate interview with HITLER in having this order withdrawn. Other measures no less horrifying which based on Section 2, § 1 of the Ordinance of 27.9.1941"deviated from the law in force", were carried out.

Lidice: Neither threats not immense rewards promised to anybody who would assist the police in tracing persons involved in the attempt on HEYDRICH led to the discovery of the perpetrators.

Registration of the whole population was ordered; everybody evading it was to be punished with death. Terrorism was to induce the population to support the efforts of the police: Everybody having assisted the "assassins" even those who, knowing of their identity or whereabouts, failed to disclose such knowledge, were to be shot together with their entire family.

Neither these threats nor the terrorism of the "Standgerichte" which carried these threats into effect in hundreds of cases succeeded in breaking the united resistance of the Czechoslovak people. Even the infamous investigation methods of the Gestapo to which everybody suspected of knowing something about the attempt on HEYDRICH was

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submitted, did not lead to any trace of the perpetrators. Not even the official report about the destruction of Lidice (Annex 18) - which asserts - that the inhabitants of Lidice helped the "assassins" can deny that. Though it says that the local population was questioned, it had to admit, however, that the relevant evidence was established without their help.

The German authorities obviously believed that by stepping up the terrorism the resistance of the nation would be overcome. So they devised a measure which by far surpassed in frightfulness anything so far experienced.

On June 9th, 1942 the village of Lidice was, on orders of the Gestapo, surrounded by soldiers having arrived from Slaný in ten large lorries. They allowed everyone into the village but no one out of it. A twelve-year old boy tried to run away. A soldier shot him. One woman tried to escape; a bullet in the back frustrated her flight and her corpse was found in the fields after the harvest. The Gestapo dragged the women and children to the school.

The morning of June 10th, brought the last day to Lidice and its inhabitants. The men were already shut up in the cellar, barn and stable of the Horak farm. They foresaw their fate and awaited it calmly. The 73 year-old priest STERNBECK strengthened them with the word of God.

A firing squad of 30 gendarmes (a branch of the so-called Ordnungspolizei) had arrived from Prague at 3.30 in the morning. They began their cruel work before 7 o'clock in the morning when K.H.FRANK had also arrived. When FRANK got out of his car the commander of the Squad reported to him. FRANK turned to the gendarmes and said: "Carry on with your work". Later he intimated that none of the gendarmes must disclose what had happened at Lidice or else he would be shot. The first house on the highroad was occupied by the Gestapo. In front of it SS Hauptsturmfuehrer

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WEISMANN informed the firing squad that it was the will of the Fuehrer they were about to carry out.

From the Horak farm the men were led out into the garden behind the barn in tens and shot. The massacres lasted from morning until 4 o'clock in the afternoon. Afterwards the executioners had themselves photographed with the corpses on the execution ground. The pictures show both boys and older men. They show that they had put straw on the wall so that the bullets should not rebound.

At the same time, 7 o'clock in the morning, the first building, belonging to HLIM, on the road to Hostoun, was set on fire and after that one house after another was burned to the ground by the Gestapo. They brought two barrels of petrol and in front of each house poured out a pailful to light the fires.

On June 11th, 20 Jews came from Terezín who had to dig graves near the place of execution and throw in the corpses head to toe and side by side. Afterwards quicklime was poured over the corpses which were then covered by boards. Then the corpses taken from the cemetery were placed in the same graves and the cemetery wiped out.

On June 12th, German pioneers fitted into the walls of the centuries old church of St. Martin, explosive charges. Sgt. Jan STRUED who acted as liaison officer once more called the Gestapo from Kladno to watch the complete destruction of the ancient church. - A few months later fields covered the ground where Lidice had stood.

The fate of the men of Lidice has been described. 172 men and youths from 16 years upwards were shot on June 10th, 1942. Another 19 who worked in coalmines of Kladno on June 9th and 10th, were later arrested in the collieries or in the nearby woods, taken to Prague and shot.

7 women from Lidice were shot in Prague as well. The others, the remaining 195 were deported to the Ravensbrück concentration camp. 42 died from ill-treatment, 7 were gassed and 3 are missing.

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4 of these women were taken from Lidice to a maternity home in Prague, their newly born children murdered and the mothers then sent to Ravensbrück.

The children of Lidice were taken from their mothers a few days after the destruction of the village. 90 were sent to Lodž in Poland and from there to Gneisenau concentration camp (in the so-called Wartheland). So far no trace of these children has been discovered. 7 of the youngest (less than a year old) were taken to a German children's hospital in Prague and after examination by "racial experts" sent to Germany. They were to be brought up as Germans and were given German names. Every trace of them has been lost.

Two or three children were born in Ravensbrück concentration camp. They were killed immediately after their birth.

The belongings of the population of Lidice were "confiscated". Already on June 9th the Gestapo seized money, saving books and other valuables. In the early morning of June 10th the cattle was driven off and furniture, tools etc., removed to the Buštěhrad Court. The land fell to the Reich.

In an official report of 10.6.42 published in the newspaper "Der Neue Tag" on June 11th, 1942, No. 159 (Annex 18) it was maintained "that the population of the village of Lidice aided and abetted the perpetrators" (i.e. the persons who participated in the attempt on HEYDRICH), further that "illegal publications, dumps of arms and ammunition" .... and "an illegal transmitter" were discovered in Lidice and eventually that "the inhabitants of the locality were in active service of the enemy abroad". -

From a proclamation of 13.6.42 published in the newspaper "Der Neue Tag" on June 14th, 1942, No. 162 (Annex 19) we learn that neither the interrogation of the inhabitants of Lidice, nor their massacre and the destruction of the village, led the German authorities to any trace of the perpetrators. Again they promised rewards to

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anybody supplying them with appropriate information and threatened all those violating the obligation to inform the police, to be shot with their family.

More remarkable than the strange contradiction between the report of 10.6.42 and the proclamation of 13.6.42 is, however, the fact that even a crime like that committed at Lidice has a foundation in German "law". That crime too is a "measure" which the Reich Protector or the authorities delegated by him are allowed to take during the state of civil emergency. The monstrous features of that "measure" are instances of "deviations from the law in force" which Section 2, § 1 of the Ordinance of 17.9.41 had in mind.

Section 1, § 2 of the Ordinance on Legislation in the Protectorate of Bohemia and Moravia dated 7.6.1939 (RGBl.I,p.1039) (Annex 20) lays down: "If there is any danger in delay the Reich Protector has the authority to issue provisions of any kind. One provision issued by him pursuant to this Section was the Ordinance of 27.9.41 concerning the Declaration of a State of Civil Emergency".

It would, however, be wrong to assume that the Ordinance of 27.9.41 was issued solely under the general powers granted by the Ordinance of 7.6.1939 and that HITLER and the German Government learned only after its issue what use was made by the Reich Protector of the powers so granted.

On 26.9.41 HEYDRICH was entrusted by HITLER with the conduct of the office of Reich Protector. Alone the nomination of a man like HEYDRICH who, as everyone knew, excelled by far even the average Gestapo man in lack of scruples and in brutality, served the terrorisation of the Czechoslovak people and was meant to serve. - The methods by which business is to be done are unambiguously determined if it is entrusted to a man like HEYDRICH; they can only be criminal. And everyone who knew HEYDRICH as the authorities responsible for his appointment knew him, wanted such methods when assigning HEYDRICH as acting Reich Protector.

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On September 26th, 1941, HEYDRICH arrived in Prague. The Ordinance on the Declaration of a State of Civil Emergency was issued one day later. It was obviously prepared beforehand and its issue was the execution of one of the directions given to HEYDRICH on his way.

Had HITLER and the German Government not known the Ordinance dated 27.9.41 before it was published and had they not agreed to it, would they not have taken exception to it? However, it remained in force. An instrument such as this Ordinance was allowed to be in the hands of a man like HEYDRICH for many months. And many months after it was issued it served HEYDRICH's successors as "legal basis for the massacres" of Lidice.

In the same way it may be excluded that the Reich Protector or his subordinates to whom he delegated his extraordinary powers under Section 2, § 1 of the Ordinance dated 27.9.41 (Sec. 2, § 2 of the Ordinance of 27.9.41), carried out the massacre of Lidice without HITLER's and the German Government's knowledge and consent.

The perpetrators and their instigators did not even try to conceal the mass murder of Lidice. On the contrary they were made known to the public immediately after they had been committed. The aim was obviously to demonstrate to the Czechoslovak people, nay to the whole world, that the National Socialist régime was capable of every brutality in order to break any opposition. The mass murder of Lidice was an act of violence which even excelled the crimes of the Nazis. It was, speaking in the National Socialist terminology, an "administrative measure of great significance" designed to terrorise the Czechoslovak people and to shape the opinion of the general public on the essence of National Socialist régime and its methods.

And if nothing else would show the responsibility of the highest authorities of the Reich - had they learned of the massacre of Lidice after it had been committed, would they not have called the perpetrators to account? Perhaps their punishment was concealed

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from the public? However, they were not punished. Had the authorities condemned the crime of Lidice it would not have been repeated at Ležáky a fortnight later.

Ležáky: An official report of 24.6.42 published in the newspaper "Der Neue Tag" on 25.6.42 (Annex 21) contains the information that Ležáky, a hamlet on the Bohemia-Moravian Plateau consisting of 9 cottages was rased to the ground and the adult population summarily shot. The report continues that the population of Ležáky sheltered Czech parachutists who took a prominent part in the preparation of the attempt on HEYDRICH and tried to prevent the parachutists from falling into the hands of the police.

What had really happened? On June 24th, 1942 a number of Gestapo officials arrived at Ležáky. They brought with them no less than 600 men of the Schutzpolizei. The place was surrounded, all the inhabitants arrested and taken in lorries to Pardubice. They were "questioned" by the Gestapo and on June 28th after days of torture all those above the age of 16 were shot; altogether 14 men and 20 women. The corpses were burnt at the Pardubice crematorium. At night the ashes were thrown into the river by a Gestapo man.

The 14 children of Ležáky were taken to Prague where every trace of them has been lost.

Ležáky was, like Lidice completely destroyed and the ground where it stood covered with mud.

In connection with this "Action" about 300 men and women of the neighbouring village of Pánečko were shot without trial.

Oddly enough the official report of 24.6.42 brings the news of the execution of the inhabitants of Ležáky four days earlier than it actually took place. Also the reasons given for the execution and the destruction of the hamlet are untrue. A short time later one spoke only of the discovery of an illegal transmitter..

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VI. THE PERSONS RESPONSIBLE IN THE OPINION OF THE CZECHOSLOVAK GOVERNMENT AND THE UNITED NATIONS WAR CRIMES COMMISSION.

The personal responsibility of the exponents of the German Reich - of the Nazi Party as well as the State - for the crimes committed on Czechoslovak territory and against Czechoslovak citizens was stressed in a Declaration on June 15th, 1942 by the President of the Czechoslovak Republic. The same Declaration announced the punishment of all those who instigated or assisted in the violation of all principles of International Law on the territory of the Republic, - of the originators of "slaughtering, robbing and destroying of whole villages, killing of innocent people, and of systematical mass murder".

As far as the Czechoslovak Government has dealt with the crimes described in Part 4 of this Report in charges submitted to the United Nations War Crimes Commission, they included in these charges - in accordance with that Declaration - not only the actual perpetrators but also the military and civil authorities superior to them and eventually the members of the German government.

The Czechoslovak Government submitted to the United Nations War Crimes Commission at first a charge concerning the crimes committed by the "Standgerichte" established on 27.5.42. They advocated the point of view that the members of the "Standgerichte" - the persons acting as judges and public prosecutors - were not the only ones responsible for these crimes. It was demonstrated that these responsible were also K.H.FRANK as Secretary of State, Kurt DALUEGE as acting Reich Protector and eventually Adolf HITLER and the members of the German Government.

HITLER and the German Government bear the responsibility.

(1) as legislative body: They issued the Decrees and Ordinances on which the activity of the "Standgerichte" was founded, and

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authorised their issue respectively. These are mainly:

(a) The Decree of the Fuehrer and Reich Chancellor dated 16.3.39 (RGBl. I, p. 485) (Annex 1) Article XI, § 1 of which lays down that "the Reich can promulgate decrees and ordinances applicable to the Protectorate" and Article XI, § 3 of which contains the provision that "the Reich Government can take measures necessary for the maintenance of security and order".

Merely by promulgating a Decree which empowers the Reich to issue decrees and ordinances for the Protectorate, the members of the legislative body have taken the responsibility for the contents of these orders. Their responsibility for the provisions under consideration becomes even more striking when we consider the meaning of the phrase "measures necessary for the maintenance of security and order" in the Third Reich. Bearing in mind that this formula in the National Socialist jargon covers every measure serving the interests of the régime and that the measures thus described have infringed at any time any demands of justice and humanity, the importance of the above-mentioned provision of Article XI, § 3 becomes plain.

This formula is the basis of everything we know as marks of the National Socialist régime. It represents "lawful authorisation" for every act of terror, of inhumanity, for every crime typifying the methods of National Socialist administration, police officials and tribunals. And for those who are unwilling to concur that HITLER and his counsellors were not aware of what a National Socialist Administration means by "measures necessary for the maintenance of security and order", it is clear that it was the desire of the legislator to give by Article XI, § 3 of the Decree of the 16.3.39, the above-mentioned "legal authorisation".

(b) Section 1, § 2 of the Ordinance on Legislation in the Protectorate of Bohemia and Moravia dated June 7th, 1939 (RGBl.I.p.1039) (Annex 20) which was issued in accordance with the Decree of 16.3.39,

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lays down "If there is any danger in delay, the Reichsprotector has the authority to issue provisions of any kind".

Everything mentioned above about the formula "measures necessary for the maintenance of security and order" applies also to the expression "provisions of any kind". The latter perhaps gives better expression to the essence of both.

(c) The necessary consequence of both of the Decree of 16.3.39 (Annex 1) and of the Ordinance of 7.6.39 (Annex 20) which was to be foreseen, is the Order issued by the Reichsprotector of Boheria and Moravia on the Declaration of a State of Civil Emergency dated September 27th, 1941, (V.Bl.R.Prot. p.527). It was the basis for the activity of the "Standgerichte" and its Section 2 contained the authorisation for the issue of provisions as outrageous as the Decree of 27.5.42 (Annex 15) and of 28.5.42 (Annex 17) and eventually the authorisation for crimes as those committed at Lidice and Ležáky.

The members of the German Government share the responsibility as members of the legislative body of the German Reich, for the whole series of these Decrees and Ordinances. The responsibility of individual members is underlined as they signed some of them.

HITLER and the German Government bear the responsibility for the crimes committed by the "Standgerichte" established on 27.5.42.

(2) as the head of the German administration: They entrusted in this capacity persons with the execution of their Decrees and Ordinances, the past of whom must have made them expect that they would criminally abuse the vast power invested in them. They appointed men like HEYDRICH, DALUEGE and K.H.FRANK as highest executives of the "Protectorate".

The German Government as head of the administration had at any time the power to stop the criminal activity of the authorities subordinate to them but none of its members ever tried to do so.

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of the "Protectorate" - DALUEGE and K.H.FRANK - for the crimes committed by the "Standgerichte" can be similarly established. They set up the "Standgerichte" and were superior to the persons acting as public prosecutors there. Both had the power to interrupt at any time the activity of the "Standgerichte", but neither used this power.

The case of the "Standgerichte" established on 27.5.42 alone demonstrates the criminal policy of terrorism and mass murder initiated by the German Government and carried out barbarously by subordinate authorities with the Government's full consent.

For these and similar reasons Committee I of the United Nations War Crimes Commission in their meeting on 22.11.44 declared all members of the German Government - as far as they were in office during a period in the course of which the crimes were either prepared or committed - personally responsible for the crimes committed by the "Standgerichte" set up on 27.5.42 and placed them on the list of war criminals. Further Kurt DALUEGE and K.H.FRANK were listed in connection with these crimes.

The decision of Committee I was confirmed in a plenary meeting of the Commission on the same day.

Of the crimes described in Part 4 of this Report the following were dealt with by the United Nations War Crimes Commission in pursuance of Czechoslovak charges:

(1) The Students' Massacres in October and November 1939 (Report Part IV, II, 2)

(2) Forced Labour (Report Part IV, III. 4)

(3) Crimes committed in the Ghetto of Terezín (Report Part IV, IV.)

(4) The Crimes of the German Police Established in the Territory of the Czechoslovak Republic. (Report Part IV, V, 1, a)

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(5) The Crimes Committed Against Czechoslovak Citizens in the Concentration Camps Dachau, Buchenwald, Natzweiler, Oswiecaim-Birkenau and Oranienburg-Sachsenhausen. (Report Part IV, V, 1, b).

(6) The Crimes Committed by the Special Courts in the Territory of the Czechoslovak Republic or against Czechoslovak Citizens. (Report Part IV, V, 2, b)

(7) The Crimes Committed by the "Standgerichte" set up on 28.9.41. (Report Part IV, V, 3, a)

(8) The Crimes Committed by the "Standgerichte" set up on 27.5.42. (Report Part IV, V, 3, b)

(9) The Crimes of Lidice and Ležáky. (Report Part IV, V, 3, b)

In all these cases the United Nations War Crimes Commission listed as war criminals, amongst others, all members of the German Government who at the time of the preparation or carrying out of the respective crimes were in office,

ad 1, 3, 4, 5 the leading officials of the German Police, and ad 1 - 9 the Reich Protector in office at the time concerned, his deputy, the Secretary of State, and the leading members of the Reich Protector's Office.

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